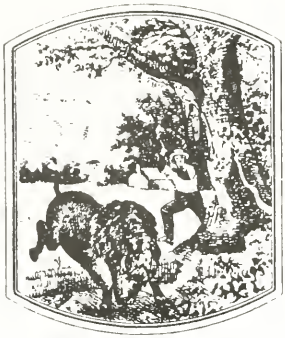

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JOURNAL

OF THE

HOUSE OF REPRESENTATIVES

OF THE

STATE OF INDIANA,

DURING THE

CALLED SESSION

OF THE

GENERAL ASSEMBLY,

COMMENCING MONDAY, NOVEMBER 13, 1865.

INDIANAPOLIS:
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1865.

INDIANA STATE LIBRARY

JOURNAL

OF THE

HOUSE OF REPRESENTATIVES.

CALLED SESSION.

MONDAY, 2 o'clock, P. M., November 13, 1865.

During the Special Session of the General Assembly of the State of Indiana, begun and held in the City of Indianapolis, on Monday, the thirteenth day of November, in the year of our Lord, one thousand eight hundred and sixty-five, being the day fixed for the meeting of the same, by the following proclamation of the Governor of the State of Indiana, calling the said Special Session:

EXECUTIVE DEPARTMENT OF INDIANA.

WHEREAS, The Constitution of the State of Indiana empowers the Governor thereof, whenever, in his opinion, the public welfare shall require it, to convene the General Assembly in Special Session;

Therefore, I, OLIVER P. MORTON, Governor, do hereby convene the General Assembly of said State, and require the members thereof to meet in their respective Halls in the State House, in the City of Indianapolis, at 2 o'clock, P. M., on Monday, the 13th day of November, 1865.

Done at Indianapolis, this 13th day of September, A. [SEAL.] D., 1865.

By the Governor,

O. P. MORTON.

Attest:

NELSON TRUSLER, *Secretary of State.*

In obedience to the foregoing proclamation, the members of the House of Representatives convened in their Hall on the day and hour above mentioned.

The Speaker ordered a call of the House when the following members answered to their names:

Messrs. Atkinson, Abbett, Bonner, Boyd, Branham, Brown, Burns, Burwell, Bird, Caldwell, Chambers, Church, Coffroth, Cowgill, Cox, Croan, Crook, Ferris, Glazebrook, Gleason, Goodman, Griffith, Groves, Hamrick, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, James, Kilgore, Lane, Lasselle, Litson, Lockhart, Major, Meredith, Miller, Montgomery, McVey, Newcomb, O'Brien, Olleman, Osborn, Patterson, Perigo, Pinney, Prather, Reese, Rhoads, Richards, Richardson, Riford, Roach, Sabin, Shuey, Sim, Stewart, Stivers, Stringer, Stuckey, Sullivan, of Scott, Thatcher, Veach, Welch, White, Woodruff, Wright, and Mr. Speaker—72.

Mr. Branham presented the credentials, of Richard H. Litson, a member elect from the county of Jefferson.

Mr. Goodman presented the credentials of John Weikel, a member elect from the county of Dubois.

Mr. Boyd presented the credentials of James S. Wright, a member elect from the county of Spencer.

Mr. Coffroth presented the credentials of Haskiel N. Pinney, a member elect from the county of Johnson.

Mr. Higgins, presented the credentials of Newell Gleason, a member elect from the county of Laporte.

Mr. Newcomb presented the credentials of Stephen Davidson, a member elect from the county of Fulton.

Mr. Sim presented the credentials of Calvin Cowgill, a member elect from the counties of Kosciusko and Wabash.

Mr. Miller presented the credentials of John J. Caldwell, a member elect from the county of Clinton.

All of whom came forward, were sworn into office by the Speaker, and took their seats.

Mr. Branham moved that a committee of three be appointed to inform the Senate that the House was organized and ready to proceed to business.

Which was agreed to.

The Speaker appointed Messrs. Branham, Brown and Newcomb said Committee.

Mr. Brown moved to reconsider the vote just taken, and that the Clerk be ordered to inform the Senate that the House of Representatives was organized and ready to proceed to business.

Which was agreed to.

Mr. Newcomb offered the following resolution:

Resolved, That the Speaker, Principal Clerk, Assistant Clerk, and Doorkeeper, elected at the regular session of this House, in January last, are entitled to hold their respective offices during the official continuance of the present General Assembly.

Messrs. Coffroth and Newcomb demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Bird, Bonner, Boyd, Brown, Burnes, Burwell, Caldwell Chambers, Church, Coffroth, Cowgill, Cox, Croan, Crook, Davidson, Ferris, Glazebrook, Gleason, Goodman, Gregg, Groves, Hamrick Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, James, Lane, Lasselle, Litson, Lockhart, Major, Meredith, Montgomery, McVey, Newcomb, O'Brien, Olleman, Osborn, Patterson, Perigo, Pinney, Prather, Reese, Rhoads, Richards, Richardson, Riford, Roach, Sabin, Shuey, Sim, Stuart, Stivers, Stringer, Stuckey, Thatcher, Veach, Weikel, Welch, White, Woodruff and Wright—68.

None voted in the negative.

So the resolution was agreed to.

Mr. Newcomb offered the following resolution:

Resolved That the following Aassistants be allowed to each officer of the House, to-wit:

To the Principal Clerk,

1 Reading Clerk.
1 File Clerk.
1 Registry Clerk.
2 Engrossing Clerks,
1 Enrolling Clerk.

To the Assistant Clerk,

4 Journal Clerks.

To the Doorkeeper,
3 Assistant Doorkeepers.
2 Firemen and Sweepers.
1 Water Carrier and Spittoon Cleaner.

2d. That two pages shall be appointed by the Speaker, and, at his option, one page for himself.

3d. That a committee of five members of this House be appointed by the Speaker, to whom all applications for an increase of the employees of the House shall he made by the proper officer, and if said committee shall regard such increase as necessary, they shall report a recommendation to that effect for the action of the House.

4th. That the several officers above named may appoint the subordinates to which they are severally entitled, at such times as they may deem their services necessary, and shall report the names of their several employes, and the date when their services commenced, to the Committee of Ways and Means.

Mr. Coffroth moved to amend by making the number of pages three.
Which was not agreed to.

The resolution was then agreed to.

Mr. Stewart offered the following Resolution:

Resolved, That the use of this Hall he tendered to Mr. E. H. Uniac for the purpose of delivering a lecture on Temperance, this evening.

The question being on the adoption of the foregoing resolution,

There being no quorum voting,

A call of the House was ordered, with the following result:

Messrs. Abbott, Atkinson, Bird, Bonner, Boyd, Brown, Burns, Burwell, Caldwell, Chambers, Church, Coffroth, Cowgill, Cox, Croan, Crook, Davidson, Ferris, Glazebrook, Gleason, Goodman, Gregg, Groves, Hamrick, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, James, Kilgore, Lane, Lasselle, Litson, Lockhart, Meredith, Miller, Montgomery, McVey, Newcomb, O'Brien, Olleman, Osborn, Patterson, Perigo, Piney, Prather, Reese, Rhoads, Richards, Richardson, Riford, Roach, Sabin, Shuey, Sim, Stuart, Stivers, Stringer, Stuckey, Sullivan of Scott, Thatcher, Veach, Welch, White, Woodruff, Wright, and Mr. Speaker—69.

On motion,
The further call was dispensed with.

The question on the resolution offered by Mr. Stuart,

Messrs. Kilgore and Newcomb demanded the ayes and noes.

Those that voted in the affirmative were,

Messrs. Abbott, Atkinson, Bird, Boyd, Brown, Burns, Burwell Caldwell, Chambers, Church, Coffroth, Cowgill, Cox, Croan, Crook, Ferris, Glazebrook, Gleason, Goodman, Gregg, Griffith, Groves, Hamrick, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, James, Kilgore, Lane, Lasselle, Lockhart, Major, Meredith, Miller, Montgomery, McVey, Newcomb, O'Brien, Olleman, Osborn, Patterson, Perigo, Pinney, Prather, Reese, Rhoads, Richards, Richardson, Riford, Roach, Sabin, Shuey, Sim, Stuart, Stivers, Stringer, Stuckey, Thatcher, Trusler, Veach, Welch, White, Woodruff and Wright—68.

Mr. Sullivan, of Scott, voted in the negative.

So the resolution was agreed to.

Mr. Higgins offered the following resolution:

Resolved, That a committee of five be appointed to revise the rules for this House,
Which was agreed to.

The following message from the Senate was received and read.

Mr. Speaker:

I am directed by the Senate to inform the House of Representatives, that the Senate has convened, and has adopted a Resolution to the effect that they are prepared to receive any message or communication from His Excellency the Governor. And the President has appointed Senators Dunning and Wright a committee on the part of the Senate to wait upon the Governor, and inform him that the Legislature is ready to receive any communication he may desire to make.

Mr. Henricks moved that the resolution be concurred in, and a committee of three appointed on the part of the House.

Which was agreed to.

Mr. Groves offered the following resolution:

Resolved, That the door-keeper be instructed to procure from the Secretary of State, copies of the House Journal, and the laws of the last session, and place one copy of each on the desk of each member of this House.

Mr. Rhodes moved to amend so as to include the Senate Journal.

Which was agreed to.

The resolution, as amended, was then agreed to.

Mr. Newcomb offered the following:

Resolved, That the principal clerk be directed to place upon the files and calendar of this session of the House, all bills and joint resolutions pending at the adjournment of the General Assembly at its last regular session, in the same order in which the same stood at the termination of said regular session.

Which was agreed to.

Mr. Higgins offered the following resolution:

Resolved, That the Judiciary Committee be instructed to inquire into and ascertain whether laws passed in pursuance of an act entitled "an act providing for the completion of the unfinished business of any session of the General Assembly by the next successive special session of the General Assembly, approved March 4, 1865," are

good and valid in law, and that said Committee report by 10 o'clock to-morrow.

Mr. Newcomb moved to amend by striking out the words, "and that said committee report by 10 o'clock to-morrow."

Which was agreed to.

The resolution, as amended, was then agreed to.

The Speaker announced the following committee on the part of the House, to wait upon His Excellency, the Governor:

Messrs. Henricks, Brown and Stringer.

Mr. Boyd offered the following resolution:

Resolved, That the Auditor of State be, and he is hereby, requested to furnish to this House an itemized statement of the expenses for clerks and doorkeepers, together with all the attaches of the House of Representatives during the last session of the Indiana Legislature.

Which was agreed to.

Mr. Miller offered the following resolution:

Resolved, That all the appointees of the last session of the House of Representatives be continued in the positions or offices during this special session which they held in said regular session.

On motion by Mr. Montgomery,

The resolution was laid on the table.

Mr. Stuart offered the following resolution:

Resolved, That a committee of three on the part of the House be appointed to act in concert with a like committee on the part of the Senate, to invite some regular minister of the gospel to attend and open with prayer the sessions of the Legislature, immediately preceding the delivery of the Governor's message.

Which was agreed to.

The Speaker appointed Messrs. Stuart, Church and Ferris said Committee.

Mr. Henricks, from the Committee appointed on the part of the

House, reported that said Committee had waited on the Governor, and that he would deliver his message on to-morrow at 10 o'clock A. M.

Mr. Osborne moved that the House do now adjourn.

Mr. Thatcher moved to amend, that when the House do adjourn. it meet again at 9½ o'clock to-morrow morning.

Which was agreed to.

On motion,

The House adjourned.

TUESDAY MORNING, 9½ o'clock, }
November, 14th, 1865. }

The House met pursuant to adjournment.

The journals were read and approved.

BILLS INTRODUCED.

By Mr. Burns:

House Bill No. 203. A bill prescribing the duties of Prosecuting and District Attorneys in certain cases, and providing compensation for the same.

Which was read the first time and referred to the Judiciary Committee.

Mr. Griffith offered the following resolution:

Resolved, That, until further ordered, the Doorkeeper be requested to obtain the letters and other mail matter from the Post Office and distribute the same to the members of this House.

Mr. Miller offered the following amendment:

Strike out all after the word resolved, and insert, that the arrangement of a Stationery Clerk and rules governing the same for the regular session be continued for the special session.

Mr. Brown moved to lay the amendment on the table.
Which was agreed to.

The question then being on the adoption of the resolution offered by Mr. Griffith,
It was agreed to.

Mr. Gregory, of Warren, introduced

Bill No. 204. A bill legalizing the acts of Commissioners who have heretofore made Deeds under the order of Circuit and Common Pleas Courts in this State, on sales made by Executors and Administrators and Guardians, under the orders of said Court, and confirming the several deeds, so made and the title under the same.
Which was read a first time and referred to the Committee on the Judiciary.

Mr. Reese introduced

Bill No. 205. A bill to provide for a more speedy settlement of the claims against defaulting State, County and Township officers.

Which was read the first time and referred to the Committee on the Judiciary.

Mr. Shuey offered the following resolution:

Resolved, That seats be prepared on the right of the Speaker's

desk and that members of the Senate be now invited to the Hall of the House to hear the Message of his Excellency the Governor.

Which was agreed to.

The Senate then came into the Hall of the House, and took their seats on the right of the Speaker's chair, Lieutenant Governor Baker presiding.

Mr. Shuey moved that the Joint Committee be instructed to inform his Excellency, the Governor, that the Joint Convention is now ready to receive any communication he may desire to make known to the General Assembly,

Which was agreed to.

When the General Assembly of the State of Indiana was opened with prayer, by the Rev. Dr. Holliday.

After which his Excellency, the Governor, delivered the following Message in the presence of both Houses:

Gentlemen of the Senate and House of Representatives:

The Constitution provides that, if in the opinion of the Governor the public welfare shall require it, he may at any time, by proclamation, call a special session of the General Assembly. The provision of the organic law of the State rendering the regular sessions of the Legislature biennial, and limiting them to the term of sixty-one days, the condition of parties in this State during the last four years, and the public excitement incident to a state of war, unfitting, as it did, to some extent, the minds of men for the calm consideration of subjects of ordinary legislation, have all contributed to prevent the adoption of legislative measures which the progress of the State and the welfare of the people would seem to demand.

At the last session of the General Assembly many important bills were introduced, but failed in the different stages of their progress for want of time to perfect and pass them. That the time spent on these unperfected measures might not be lost to the public, an act was passed providing that the business of any regular or special session of the General Assembly, on the calender or files of either House, and remaining unfinished at the expiration of such session, shall, at the next succeeding special session of the same General Assembly, be transferred to the calendar of the House in which it was pending,

in the same order in which such business stood at the termination of such regular or special session, and shall be taken up and disposed of in the same manner it might have been taken up and disposed of at such preceding regular or special session. The considerations before mentioned, the fact that the unfinished business of the last session, upon which much intelligent labor had been bestowed, could only be saved by re-convening the General Assembly in special session, and the belief that measures of vital importance demanded legislative action before the time fixed for the next regular session, have caused me to issue the proclamation, in pursuance of which you are now assembled.

THE PUBLIC DEBT.

The amount of the public debt of the State, consisting of two and a-half and five per cent. registered stocks, is seven million four hundred and eighteen thousand nine hundred and sixty dollars and fifty cents, ($7,418,960 50). Of this amount the sum of five millions three hundred and forty-two thousand five hundred dollars ($5,342,500) is five per cent., and the sum of two millions seventy-six thousand four hundred and sixty dollars and fifty cents ($2,076,460 50) is two and a-half per cent. stock; that is, stocks upon which interest is paid at these rates.

Of these stocks the Board of Commissioners of the Sinking Fund have purchased and now hold the sum of four hundred and forty-six thousand six hundred and seventy-two dollars and sixty-seven cents ($446,672 67) of the five per cents, and the sum of fifty-one thousand two hundred and seventy-two dollars and fifty cents ($51,272 50) of the two and a-half per cents.

The State Debt Sinking Fund has purchased and now holds seven hundred and eighty-eight thousand and thirty-five dollars ($788,035) of the five per cents, and ninety-six thousand nine hundred dollars (96,900) of the two and a-half per cents.

The aggregate amount of what the State holds, through these two funds, is one million two hundred and thirty-four thousand seven hundred and seven dollars and sixty-seven cents ($1,234,707 67) of the five per cent. stocks, and one hundred and forty-eight thousand one hundred and seventy-two dollars and fifty cents ($148,172 50) of the two and a-half per cents; in all, one million three hundred and eighty-two thousand eight hundred and eighty dollars and seventeen cents, ($1,382,880 17), leaving outstanding in the hands of the creditors of the State the amount of six millions thirty-six thousand and

eighty dollars and thirty-three cents, ($6,036,080 33,) of which four millions one hundred and seven thousand seven hundred and ninety-two dollars and thirty-three cents ($4,107,792 33) are five per cents, and one million nine hundred and twenty-eight thousand two hundred and eighty-eight dollars ($1,928,288) are two and a-half per cents.

The face of the stock, or the certificates of indebtedness, provide that "this stock is redeemable at any time after twenty years from the 19th day of January, 1846, at the pleasure of the State; and until redeemed is transferable upon surrender in the city of New York, in books provided for that purpose by the Agent of State, there resident, by endorsement thereon, and according to such other rules and forms as are or may be prescribed for that purpose. And for the payment of the interest and redemption of the principal aforesaid, the faith of the State of Indiana is irrevocably pledged."

The twenty years referred to will expire on the 19th day of January next, and the question first to be considered is whether these stocks fall due at that time, and whether the contract made by the State requires that payment shall be made on that day. By some it has been urged that the words "at the pleasure of the State," are to be treated as surplusage, and the money held to fall due precisely at the end of the twenty years. In support of this view it is argued that because a State can not be compelled to pay her debts by legal process, the payment will in all cases be "at the pleasure of the State." I fail to perceive the force of this, and must hold that the language in question means just what it says, that the State may consult her own convenience as to the time of making payment, unless there is something in the history of the transaction, out of which this form of indebtedness sprang, or something contained in the law creating it, which requires that a different construction should be put upon the language. The naked legal effect of the instrument, if not modified by history or provisions of the statute creating it, I take to be this: That until the end of the twenty years the State has no right to require the creditors to take their money, and thus stop the payment of the interest, but that the money was to be paid at some time after the end of the twenty years, according to the pleasure and convenience of the State. But this pleasure of the State must be reasonably exercised, so as not to defeat the payment of the principal sum absolutely. The construction I have heard contended for, that the State may defer the payment of the principal twenty-five, fifty, or one hundred years, or in fact forever, provided the interest is promptly paid, can not be maintained; for that would be to defeat the operation of the conclu-

ding sentence of the instrument, above quoted, which solemnly pledges the good faith of the State for the payment of the principal as well as the interest. This solemn pledge would be a nullity if the State was at liberty to defer the payment of the principal forever, or indefinitely, by the prompt payment of the interest.

The next question to be considered is, whether there is anything in the statutes creating this stock, or in the history of the whole transaction, showing the intention of the parties as to the time when the principal should be paid, or pointing to a period beyond which the State would have no right to defer its payment.

On the 1st of July, 1846, the State was indebted upon bonds issued and sold for purposes of internal improvement, in the sum of eleven millions and ninety thousand dollars, ($11,090,000). On these bonds the interest had not been paid since 1841. The interest due and in arrears amounted to three millions fifty-five thousand four hundred and thirty dollars, ($3,055,430).

These bonds were issued between the years 1832 and 1842, were of different denominations, and were to run for twenty-five and thirty years, and bore interest at the rate of five, six, and seven per centum per annum, payable semi-annually, for which there were coupons signed and attached to the bonds. The State finding herself unable to pay the interest on her indebtedness, accepted of a proposition made by her creditors, the details of which will be found embodied in the act of January, 1846, and the supplementary act of January, 1847, which, taken together, constitute what is generally known as the "Butler bill." By the compromise and settlement, as finally concluded in the supplemental act of 1847, the Wabash and Erie Canal, together with the lands which had been granted to the State to aid in its construction, were transferred, the canal in perpetuity, and the lands in fee simple, to certain trustees in trust for the bondholders, in absolute payment and discharge of one-half the principal and accrued interest of the debt, which half thenceforward and forever ceased to be a liability against the State or a charge upon her revenues. The bondholders, upon their part, agreed to make such additional subscriptions as might be necessary to complete the canal to Evansville, estimated at eight hundred thousand dollars, ($800,000), which condition was complied with on their part, and the Canal so completed. For the other half of the debt, principal and interest, the State was to issue to the bondholders certificates of indebtedness or stock. Upon such stock, issued for the principal sum, the State was to pay interest at the rate of five per cent. per annum, semi-annually. The interest in

arrears from 1841 to 1847 was funded, and interest on the aggregate thus funded was calculated at the rate of two and a half per cent. per annum from January 1, 1847, to January 1, 1853, and added to it, and for the whole amount stocks were issued, bearing interest at the rate of two and a half per cent. per annum from the 1st day of January, 1853, payable semi-annually. The arrangement was a complicated one, involving many details which it is not necessary to give here, and I shall only present a very brief outline.

The act of 1846 was, in many important respects, modified and amended by the supplementary act of 1847, and the two together constitute the basis and consideration upon which the creditors released the State from all liability for one-half the principal and interest of the debt.

The first section of the act of 1846 concludes in these words:

"*And provided further*, That if the revenues of the State, up to the first day of January, 1853, to be derived from a property tax of twenty-five cents on every one hundred dollars of value, and a poll tax of seventy-five cents, shall not, by reason of the taxes being paid in six per centum treasury notes, or from other causes, be sufficient, after defraying the current expenses of the Government, to pay said rate of interest of two per centum, then and in that case, the State shall only be required to pay, up to said first day of January, 1853, such rate of interest as the par funds in her treasury, derived from the taxation aforesaid, shall enable her to do; which shall be paid and distributed, *pro rata*, on the principal specified in such certificate of stock, and the deficit, with six per centum interest per annum from the time it became due, the State shall and will make up and pay to the holders of such certificates on or by the first day of January, 1853."

It will be perceived that this section does not, in direct terms, make a levy of twenty-five cents on every one hundred dollars of value, and of seventy-five cents on each poll; but it evidently proceeds upon the hypothesis that such a tax shall be levied and continued for a series of years. The act, of which this section is a part, was reported to the Legislature by the Hon. Henry Secrest, Chairman of a Special Joint Committee, to whom the subject had been referred. He accompanied the bill with a report from the Committee, from which I extract the following passage:

"By reference to the tables appended to the second proposition of Mr. Butler, it will be seen that, if the taxables in the State shall increase at the rate of $6,000,000 a year in value, (which is a mod-

erate estimate), a tax of twenty-five cents on the hundred dollars, and seventy-five cents poll, will afford the means of paying the State expenses, absorbing all the six per cent. treasury notes, and paying two per cent. interest upon the public debt up to the year 1853; and from and after that time paying the State expenses and two and a-half per cent. upon the entire funded debt of the State, including back interest and deficiencies of interest; and not only so, but that the proceeds of the same tax would, in addition, produce an annually increasing surplus, to be set apart for the absorption of the principal of the public debt; which surplus, for the single year 1860, would be about $140,000."

From this it clearly appears to have been contemplated by the Committee that a continuing tax of twenty-five cents on every one hundred dollars, and seventy-five cents poll, was to be assessed for the payment of the principal and interest of the debt, and reference is made to certain tables which had been prepared by Mr. Butler, going to show what would be accomplished by such a tax, estimating the increase of the polls to be six thousand per year, and the increase of taxable property at six millions of dollars per year, and carrying the calculation as far down as 1860. Mr. Butler's calculation, however, turned out to be greatly erroneous, inasmuch as the ordinary expenses of the State Goveanment were estimated too low, and the increase of taxable property from 1846 to 1864, averaged nearly twenty-one millions of dollars, instead of only six millions per annum. On the next day after the passage of this bill, and apparently in pursuance of its provisions, the Legislature passed an act making a general levy, for State purposes, of seventy-five cents poll, and twenty-five cents on each one hundred dollars' worth of property.

In the supplementary act of the next year, 1847, the following provision will be found contained in the fourteenth section:

"And whereas, doubts have been suggested on the part of some such last mentioned persons, (foreigners holding bonds), in respect of the matters hereinafter mentioned or referred to, which doubts may operate prejudicially to the operations contemplated by the said recited act, and it is therefore expedient that the same be removed; now, to demonstrate the good faith of the State of Indiana, and for the removal of all such doubts as aforesaid, and with the view to create general confidence in the arrangement made in the said recited act by the State for the liquidation of its debt:

"*Be it enacted*, That the tolls, revenus and profits, of the said Canal and its appurtenances, present and future, and the moneys to

arise and be collected by and from the sales of the land and premises contiguous thereto, and in the said act more particularly mentioned and described, and the *personal taxes* to be levied toward the payment of the said debt, as in the said act also mentioned, and the receipt and application thereof for that purpose, as in the same act is also provided, shall remain and be inviolate and in full force, and the payment of the principal moneys and interest on the certificates and stock intended to be created pursuant to the said act, and this act, and all certificates and evidences of the title thereof, respectively, shall be and continue effectual and inviolate by the means aforesaid, until the objects and purposes of the said act, and this present act, shall be fully accomplished."

The only taxes referred to in the act of 1846, were the seventy-five cents poll and the twenty-five cents on the one hundred dollars worth of property, and by this section the good faith of the State is solemnly pledged that the said taxes shall be maintained inviolate and in full force, and the proceeds thereof faithfully applied to the payment of the principal and interest of the stocks created in pursuance of the act of 1846. The substance of this pledge, and of the understanding entertained by the Legislature on the one hand, and the bondholders on the other, may be briefly stated as this: That a tax of seventy-five cents on each poll, and twenty-five cents on each one hundred dollars of property, should be continuously levied, and that, after defraying the ordinary expenses of the State Government, and paying the interest on the debt, the surplus proceeds should be applied to the liquidation of the principal sum.

The new Constitution, which was framed in 1850, three years after the passage of this act, contains the following provision:

Section 2, Article X.: "All the revenues derived from the sale of any of the public works belonging to the State, and from the net annual income thereof, and any surplus that may at any time remain in the Treasury, derived from taxation for general State purposes after the payment of the ordinary expenses of the government, and of the interest on bonds of the State, other than bank bonds, shall be annually applied, under the direction of the General Assembly, to the payment of the principal of the public debt."

This provision evidently contemplates the speedy payment of the public debt, and the existence of an annual surplus to arise from general taxation for State purposes, and imperatively commands the *annual* application of such surplus to the liquidation of the public debt.

To show the views entertained by the committee who prepared the section, I will present in full the report by which it was accompanied when it was laid before the Convention:

"The Committee on State Debt and Public Works, to whom was referred sundry resolutions, directing them to inquire into the expediency of appropriating all the revenues derived from the sale of any of the public works belonging to the State, and from the net income thereof, and also any surplus that may at any time remain in the treasury derived from taxation for general State purposes, after the payment of the ordinary expenditures, have had the same under consideration, and having come to the conclusion that the entire debt of the State will be paid within fifteen years, by a continuation of the rate of taxation prescribed by law, have directed me to report the accompanying section, to be engrafted in the new Constitution, and ask to be discharged from the further consideration of the subjects embraced in said resolutions."

This report was submitted by Judge Hall, of Gibson county, one of the most eminent lawyers in the State, and is so explicit in regard to the understanding of the committee that the tax was to be continued, and that it would pay the debt by 1865, that it leaves no room to doubt as to the purpose for which the constitutional provision was introduced.

Afterwards, on the 25th day of January, 1851, this provision came up in the Convention for consideration, when Mr. Howe, of Lagrange, offered to amend by adding the following clause, not as a substitute, but additional:

"That a specific tax of fifty thousand dollars, with an annual increase of five per cent., be levied for twenty-five years, and expended each year in the purchase of our State bonds, unless the State debt is sooner paid off."

In support of his amendment he used the following language:

"It is very probable that the present rate and method of taxation guaranteed in what is commonly called the Butler Bill, will be observed; but even if that taxation affords a fund for the payment of the debt, this will enable us to pay it off sooner. Besides our public debt was contracted chiefly for the benefit of property, and property should pay it.

Mr. Borden then said:

"I desire to make an inquiry of my friend from Gibson (Mr. Hall), whether the section now under consideration provides that any overplus of the taxes arising from the imposition of twenty-five cents

tax on the hundred dollars valuation, shall be applied to the definite object of liquidating the principal of our outstanding State debt after the payment of the interest on the debt?"

In answer to this question, Judge Hall said:

"The arrangement, and only arrangement, with our bondholders, was under the acts of 1846 and 1847, by which twenty-five cents on every hundred dollars worth of taxable property, and seventy-five cents poll tax, were pledged for the payment of the principal and interest of the public debt until it shall be entirely paid. According to a calculation made, if this system of taxation shall be continued, in eighteen years the entire public debt will be paid off. The committee of which I am chairman, having charge of the subject, believing that there was a propriety in placing it beyond the power of the Legislature to violate the pledged faith of the State, instructed me to introduce a section providing that the twenty-five cents on each one hundred dollars of taxable property, and seventy-five cents poll tax, should be annually assessed until the debt was paid. This section was laid upon the table, and, I think, inconsiderately. I think the matter should be placed beyond the power of change by the Legislature."

Mr. Borden then replied as follows:

"Sir, on a previous occasion, I desired that this should be done; because I know that this is the wish of the people I have been sent here to represent. They do not want the subject to be left with the Legislature. They are willing to carry out in good faith the arrangement made with the bondholders of the State, and to pay twenty-five cents tax upon every one hundred dollars valuation, until the State debt is extinguished; and they desire that a clause shall be inserted in the Constitution which shall secure the application of this overplus to the extinguishment of the principal of the State debt."

Mr. Stevenson then followed, opposing Mr. Howe's amendment, on the ground that taxes should not be levied in the Constitution, and in conclusion used these words:

"Sir, this attempt to levy an additional tax upon the people by us is all wrong. I believe there is virtue enough in the people to settle this matter through their representatives in the Legislature, and I much prefer to leave it with that body."

Mr. Walpole followed in a speech, opposing the adoption of the original section reported by the Committee, for the reason that he

would do nothing to confirm the contract made by the State with the bondholders unless there was also a provision requiring the bondholders to perform their part of the contract.

Mr. Maguire followed in support of the original section as reported by the Committee, and referred with approbation to the calculation, showing that the then existing rate of taxation would pay the debt in fifteen or sixteen years, if the surplus was properly applied from year to year in the purchase of our stocks at the market value.

Mr. Ritchie then moved to re-commit the section, with instructions to strike out and insert that, "the present rate of taxation, twenty-five cents on taxable property and seventy-five cents on each poll, shall be continued until the indebtedness of the State is fully liquidated."

Mr. Ritchie then said:

"I would remark that this is a transcript of the report of the Committee on the subject, and I have no doubt if this course is adopted that in some fifteen or eighteen years the public indebtedness of the State will cease to exist. Under the action of the General Assembly we made this agreement with our bondholders in reference to the payment of the bonds they held, which constituted the public debt. The adoption of a proposition of this kind will not only increase the credit of the State, but do away with any suspicion that we have any disposition to repudiate the contracts we have made. We owe it to our constituents that we should endeavor to erase the unjust aspersions cast upon them in relation to this matter. And it is due also to our bondholders that we should repeat here, in this Convention, the action of the Legislature in the arrangement made by which, in some fifteen years, we will rid our State of its public debt."

Here the debate ended, and the original section was adopted, both amendments being laid upon the table.

I have referred particularly to this debate to show the views entertained by the Committee reporting the Constitutional provision, and the understanding of the Convention at the time of its adoption. It seems clearly to have been understood by the Convention that the Butler Bill guaranteed the continuance of the tax of seventy-five cents on each poll and twenty-five cents on each one hundred dollars worth of property, until the debt was liquidated, and the main subject of discussion was whether this guarantee should be specifically incorporated into the Constitution.

If the levy and continuance of a specified tax for the payment of the principal and interest of the debt was guaranteed in the original arrangement made by the Legislature with the creditors, it would be conclusive evidence that the State and the creditors were looking to the payment of the principal sum as well as the interest, and that the State could not, in good faith, indefinitely postpone the payment of the principal sum.

But it is equally clear from Mr. Butler's calculations, that he did not expect that the taxes which were guaranteed would be sufficient to pay the debt by the 19th day of January, 1866, for, in fact, by his tables, the principal of the debt could not be paid before 1872 or 1874, and when we take his tables in connection with the language of the certificate, "redeemable at any time after twenty years at the pleasure of the State," it is manifest that Mr. Butler had no assurance that the principal of the debt would be paid promptly at the end of the twenty years.

It turned out, however, that the basis of taxation was far more favorable to the speedy payment of the debt than was contemplated by Mr. Butler and the Legislature in 1846, for the average increase of taxable property, from that time until the present, has been, as before stated, nearly twenty-one millions of dollars per annum, instead of six millions. And a calculation which I have caused to be made, will show that if the guaranteed rates of taxation had been maintained, there would be in the Treasury on the first day of January, 1866, a surplus of four millions eight hundred and ten thousand seven hundred and four dollars and thirty-one cents, ($4,810,704 31,) after defraying the ordinary expenses of the State Government, and the interest on the debt from year to year; and it is easy to show that if this surplus had been applied from time to time, as it accrued, to the purchase of our stocks at their market value, the whole debt would have been paid by the 19th day of January, 1866.

It was well understood by Mr. Butler and the bondholders in 1846 that these rates of taxation were all that the State was able to bear at that time, or would be able to bear for many years, and the language of the certificates, making the principal payable "after the end of twenty years, at the pleasure of the State," shows that the Legislature entertained doubts whether the State would be able to pay promptly at the end of twenty years, and that they did not intend to place her in a situation where, if she failed to make such payment, she would violate her contract, and stand before the world as repudiating or bankrupt.

In 1852 the Legislature departed from these rates of taxation, and reduced the levy to twenty cents on each one hundred dollars worth of property, and fifty cents on each poll. This rate upon polls was continued until 1865, but the levy upon taxable property fluctuated from fifteen to twenty cents on the one hundred dollars from 1853 to 1861.

In 1852 the Legislature passed an act creating the State Debt Sinking Fund, and levying a tax of two cents on the one hundred dollars "for the reduction and ultimate extinction of the public debt."

This Fund was placed under the control of three Commissioners, consisting of the Auditor, Treasurer and Agent of State, who were directed to invest the proceeds of the tax from time to time in the purchase of the two and a half and five per cent. stocks. The interest on the stocks thus purchased was to be paid semi-annually to the Commissionors, who were to invest the same in similar stocks, and thus create a Sinking Fund for the ultimate redemption of the stocks created by the Butler Bill.

In 1857 the Legislature failed to levy any tax for State purposes for the years 1857 and 1858, and for those two years no revenue was collected. In 1859 an act was passed instructing the Auditor of State to sell the stocks which had been purchased by the State Debt Sinking Fund to the Board of Commissioners of the Sinking Fund, in order to raise money to defray the ordinary expenses of the State Government, and to supply the deficiencies in revenue growing out of the failure to levy and collect taxes for the preceding two years. This act being held void for want of a title, the Board of Commissioners of the Sinking Fund refused to act upon it, but the Auditor of State treating it as an instruction, sold the stocks in open market, and put the money into the Treasury. At the regular session in 1861, it was enacted, that for the year 1863, and every year thereafter, five cents be levied on each one hundred dollars' worth of property for the reduction and ultimate extinction of the public debt, to be used by the State Debt Sinking Fund Commissioners as before described, but at the extra session in the same year, an act was passed diverting this tax, and that for the years 1861 and 1862, from the State Debt Sinking Fund, to the payment of the War Loan, which had just been authorized, with a provision, however, that if the holders of the War Loan Bonds would not sell them to the State at rates not exceeding their *par* value, the proceeds of the tax should be in-

vested in the stocks created by the Butler Bill, according to the terms of the original act creating the State Debt Sinking Fund.

This legislative history, it must be admitted, is rather curious and contradictory, and comes short of performing the obligations which the State in 1846 entered into with her creditors.

For this non-performance, up to 1861, a valid excuse can hardly be found, but for what has happened since, the excuse is ample. The contingencies and necessities of war override all other considerations, and if they cause a failure in the strict performance of a contract, it would not subject a State to the imputation of being wanting in good faith.

In view of the whole matter as I have presented it, the just conclusion seems to be this—that while the State is not bound to pay the principal of this debt on the 19th day of January, 1866, or be considered in default, yet that she is not at liberty to postpone the payment of it indefinitely; that to do so would be to violate the fair construction of the certificate itself, and the explicit understanding that existed in the Legislatures of 1846 and 1847, and in the Convention of 1850, as shown by their several enactments and debates; but that she is bound to make provision to pay the debt within such reasonable time after the twenty years as may comport with the original understanding of the parties, the ability and condition of the State, as left by the war, the faithful performance of her contracts, and the preservation of her good name. The whole subject is therefore commended to your careful consideration, in the hope that your conclusion, whatever it shall be, may be announced before your final adjournment, so that the State and her creditors may know what they have to depend upon.

As before shown, the amount of these stocks outstanding in the hands of our creditors and to be provided for, is six millions thirty-six thousand and eighty dollars and thirty-three cents ($6,036,080 33).

The Auditor of State has furnished me a statement in which he estimates that there will be in the Treasury, on account of State Debt Sinking Fund, on the 1st day of May next, the sum of one million dollars ($1,000,000).

The Board of Commissioners of the Old Sinking Fund will probably have on hand, in cash, on the 1st day of January, 1866, the sum of six hundred thousand dollars ($600,000.

There is due also to the old Sinking Fund about nine hundred thousand dollars ($900,000) on loans secured by mortgages on real estate, which, however, could not be made available for several years,

owing to the extension of time made by the State to the mortgagors, unless by the issue of a like amount of bonds bearing six per cent. interest, which is one per cent. less than that which the State receives on the mortgages, the bonds to be paid out of the proceeds of the mortgages when collected. These bonds disposed of to our creditors or others, at par value, and the moneys referred to, if promptly invested in our stocks, would procure some two millions six hundred and fifty-thousand dollars ($2,650,000) of our stocks, and thus reduce the amount in the hands of our creditors to three millions three hundred and eighty-six thousand and eighty dollars and thirty-three cents ($3,386,080 33).

The cash on hand in the Old Sinking Fund draws no interest, and has not for many months, and without regard to the conclusion you may come to as to the time or mode of paying the public debt, I earnestly recommend that all the cash and other assets belonging to the Old Sinking Fund be as speedily as possible invested in our State stocks, and the somewhat formidable and costly machinery by which that fund has been managed, abolished. The fund thus converted into our stocks can be easily managed by the Auditor of State with equal advantage to our common schools, and at a saving of no small expense. Of course it will be understood that such stocks as now belong to the Old Sinking Fund, or as may be purchased by its assets, must in some form be kept alive for the benefit of the School Fund, so that that fund, which is made inviolable by the Constitution, may not suffer by the conversion.

The financial system of Indiana is complicated, expensive, and anomalous. The State is a debtor, owing large sums of money, upon which she pays interest semi-annually, and incurs all the expenses thereto necessarily incident, such as the keeping of an agency in New York, the purchase of exchange, and other items of cost too numerous to mention. She is at the same time a lender of money, and maintains an expensive machinery to carry on that operation, and is subject, of course, to occasional losses incident to all money lenders.

If, therefore, the trust funds of the State could be invested in her own stocks it would greatly cheapen and simplify her financial system, and restore to its administration that public confidence, the absence of which has long been felt.

Should the assets of the Sinking Funds be converted into our public debt, as I have suggested, the whole debt of the State left outstanding in the hands of her creditors to be provided for, might be thus stated :

Two and a half and five per cent. stock.....	$3,386,080 33
War Loan Bonds.....	438,000 00
Vincennes University Bonds.	66,685 00
Floating Debt, estimated at..	100,000 00
Total debt,.....	$3,990,765 33

The conversion suggested can be made within the next six months, and there is no propriety in the State appearing to the world as being indebted in the sum of seven or eight millions of dollars when she has the means in her own hands of reducing it to less than four millions.

ENUMERATION AND APPORTIONMENT.

It is not creditable to the State that any provision of its Constitution, mandatory in its character, and not in conflict with the National Constitution, should remain a dead letter because of the non-action of the legislative department. If law-makers would have their enactments obeyed by the masses they should set an example of obedience by a prompt and faithful performance of those duties enjoined upon them by the higher law contained in the Constitution itself. More than fourteen years have elapsed since the adoption of the present Constitution of the State, and to this day there are two subjects on which its language is that of positive command where there has been no corresponding obedience—one of these subjects being almost vital to the existence of the Legislature itself. The first of these is the periodical enumeration of the white male inhabitants above twenty-one years of age, and the periodical apportionment of Senators and Representatives, based upon this enumeration. The other is the providing of Houses of Correction and Reformation for juvenile offenders.

Allow me earnestly to call your attention to both of these constitutional mandates in the order above stated. The Constitution of 1851 provides that the first and second elections of members of the General Assembly after its taking effect shall be according to the apportionment last made by the General Assembly before the adoption of said Constitution. This provision gave ample time for making the enumeration and apportionment required by the organic law of the State. The Constitution says that the General Assembly *shall*, at its second session after the adoption of this Constitution, and every six years thereafter, cause an enumeration to be made of all the white male inhabitants over the age of twenty-one years. It further says that

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"the number of Senators and Representatives shall, at the session next following each period of making such enumeration, be fixed by law and apportioned among the several counties according to the number of white male inhabitants above twenty-one years of age in each." The General Assembly of 1853 designed to carry out the first of these provisions by passing an act approved February 24th, 1853, entitled, "An act to provide for the enumeration of all the white male inhabitants over the age of twenty-one years, in the State of Indiana in the year 1853, and pay the officers for taking the same." In consequence of defects in this law, as I understand the matter, the enumeration contemplated by it was never completed and published, and although more than twelve years have since elapsed, no other act providing for an enumeration has been passed. In 1857 the General Assembly passed an act entitled, "An act to apportion Senators and Representatives for the next four years." This act was not based upon an enumeration of the white male inhabitants of the State over the age of twenty-one years, for no such enumeration had been completed, and although it has long since expired by its own limitation, no other apportionment law has been enacted in its place, and by common consent, and from the necessity of the case, members of both houses of the General Assembly are still elected under the provisions of this law, which has ceased to exist, and which, if in existence, has become grossly unjust and unequal by the change in the population of the several counties of the State since 1857. A literal compliance with the Constitution as to enumeration and apportionment, is now impossible, but the nearest practical approach to it should be promptly made. To this end I recommend the passage of an act providing for an enumeration such as is contemplated by the Constitution, to be made in 1866, and another in the year 1871, and another every six years after the year 1871. These periodical enumerations should be provided for by a permanent enactment that would require no renewal at the expiration of each period of six years, and to secure its enforcement there should be adequate penalties for any failure of duty on the part of the officers charged with making the enumeration. To meet the present emergency I further recommend the passage of a law, temporary in its character, making a new apportionment of Senators and Representatives on the basis of the votes cast at the Presidential election in 1864, such apportionment to continue until a new one can be made based upon the enumeration required by the Constitution.

HOUSES OF REFORM FOR JUVENILE OFFENDERS.

The other particular before alluded to, in which a positive requirement of the Constitution has hitherto been wholly disregarded, relates to the establishment of Houses of Correction and Reform for juvenile offenders.

The second section of the ninth article of the Constitution reads as follows, viz:

"The General Assembly shall provide Houses of Refuge for the correction and reformation of juvenile offenders."

In accordance with this humane and enlightened provision, the eighteenth section of the first article further provides that the penal code shall be founded on the principles of reformation, and not of vindictive justice.

It may well be doubted whether the county jails should, in any instance, be used as places of punishment for any class of offenders, and whether they should not be solely employed as places of detention of accused persons awaiting trial. Be this as it may, there can be no doubt as to the duty and policy of speedily establishing Houses of Reform for Juvenile Offenders.

The Legislature of 1855, impressed with the propriety of providing a place in which youthful offenders might be confined, uncontaminated by the proximity and examples of old and hardened offenders, authorized the purchase of a tract of land a few miles west of Indianapolis, for the express purpose of establishing a House of Reform for Juvenile Offenders. In pursuance of this authority the land was purchased, but since then nothing further has been done to carry into execution the provisions of the Constitution on this subject.

Institutions of this description have ceased to be an experiment, numbers of them having been established in other States of the Union with the most beneficial results. I most earnestly recommend that immediate steps be taken for carrying into execution, with the least possible delay, this requirement of the Constitution.

SOLDIERS' RELIEF LAW.

The restoration of peace and the consequent discharge from the service of the United States of the major part of the Volunteers of this State, since the adjournment of the General Assembly, render it proper that there should be a complete and thorough revision of the Act for the relief of the families of soldiers, seamen and marines,

and sick and wounded soldiers in hospitals, approved March 4th, 1865. Difficulties have arisen in the construction of the act, and although the Auditor of State has taken great pains to prevent a diversity of action in taking the enumeration contemplated by the act, I regret to say his efforts have not been successful in procuring entire uniformity. There is also a want of uniformity of construction as to the persons entitled to receive the benefits of the act, the local authorities in some counties, as I am informed, holding that the soldier's family must be reduced to a co· dition of absolute pauperism, before they can receive the allowance provided for by the act, while in other counties, relief has been afforded whenever the soldier's family was, in the language of the seventh section of the act, otherwise without "sufficient means for their comfortable support," although they might possess some property or means. The latter is obviously the proper construction, and it is greatly to be regretted that the act should not have been liberally construed in all parts of the State. There is also some uncertainty as to·the time when the weekly allowance provided by the act shall commence, or from what time it shall be computed to those entitled, although in my opinion the auditor of State has properly decided that the allowance should commence from the date of the passage of the act. So far as it may be necessary to continue the provisions of the act in force, I recommend the adoption of such explanatory legislation as may be necessary to remove existing ambiguities, and to secure the benefits of the act to all those within its scope and spirit, and to prevent the illiberal construction before alluded to. The Act contemplates the levy and collection of a three mill tax on all taxable property and a poll tax of one dollar on each taxable poll for each of the years 1865 and 1866. I respect fully suggest that under existing circumstances it will neither be necessary nor proper that these taxes should be levied or collected for the year 1866, beleiving that the levy for 1865 if properly disbursed will be sufficient to furnish all the relief that the altered condition of the country demands.

SOLDIERS' AND SEAMEN'S HOME.

I earnestly invite your attention to the necessity for the speedy establishment of an Institution in which Indiana soldiers and seamen, disabled by wounds or disease contracted in the service of the United States, shall be cared for and maintained during the continuance of the disabilities under which they are laboring. Justice, humanity

and the honor of the State, forbid that these brave men should be permitted to suffer for the comforts of life, or be compelled to receive from the public such assistance as is accorded to ordinary paupers.

On the 15th day of May, last, for the purpose of enlisting the sympathies of the people in the establishment of such an Institution, I issued an address, of which a copy is herewith respectfully submitted. In pursuance of the invitation contained in this address, two successive meetings were held at Indianapolis, for the purpose of effecting a temporary organization of a Home for disabled Indiana Soldiers and seamen, and to inaugurate a system for the collection of voluntary contributions sufficient to place it ultimately on a permanent foundation.

At the second of these meetings, held on the 24th day of May last, a temporary organization was effected, the basis of which will be seen by reference to a copy of the proceedings of said meeting herewith respectfully submitted.

Soon after, applications for relief on the part of disabled soldiers were presented to the officers of the Association, and the Common Council of the City of Indianapolis, generously tendered the gratuitous use of the City Hospital Buildings to the managers of the Association for a temporary Home, which offer was accepted, with the distinct understanding that its acceptance should not in any degree influence the ultimate location of the Institution, should the effort to place it on a permanent basis, be successful. The temporary Home was opened on the seventh day of August last, and the absolute necessity for such an institution is demonstrated by the fact that already forty-six (46) disabled soldiers have been admitted into the Institution, twenty-one (21) of whom, after remaining some time and receiving the best care and medical treatment, have been discharged, with the prospect of being sufficiently restored to enable them to care for themselves, and one has died, leaving twenty-four still to be cared for. Of the twenty-four still in the Institution, seventeen are totally disabled, either by old age, disease, or wounds received in battle.

The funds received by the Treasurer of the Home from voluntary contributions, amount in the aggregate to $4,994 55, in addition to which there are unpaid subscriptions, the estimated amount of which will increase this to over $20,000. It is to be feared that the Institution cannot be placed upon a permanent foundation by voluntary contributions, and in view of this I submit the entire subject to the General Assembly, and respectfully but earnestly reccommend that

prompt measures be taken to secure the object in view, feeling assured that it will commend itself to your judgment and sympathies.

The U. S. General Hospital, at Jeffersonville, is one of the most complete establishments of the kind in the country, and is well adapted to the purposes of a Soldiers' Home. I have written to the Secretary of War and Surgeon General for information, as to whether the Government would be willing to turn over this hospital to the State of Indiana, to be used in the establishment of such an institution, should the State desire it. The answer, when received, will be communicated to the General Assembly.

OFFICIAL BONDS.

The public interests require that there should be some legislation on the subject of official bonds, to prevent the sureties therein from setting up, as a defense to actions brought on such bonds, some unperformed outstanding agreement between them and their principals. Under existing decisions, a surety in an official bond, when sued thereon, may plead, as a defense, that when he signed the bond the principal promised him that he would procure some other person to execute it as a co-surety, and that the bond was filed and approved in violation of this agreement. Sound policy requires that when official bonds are properly approved, and filed in the proper office, there should be no doubt as to their binding obligation on all the parties executing the same. I respectfully recommend the passage of a law, providing that every principal and surety in an official bond shall be required, before such bond is approved, to acknowledge its execution before some officer authorized to take the acknowledgement of deeds, the acknowledgement to be certified on the bond, and making the bond thus acknowledged as binding, to all intents and purposes, upon such surety as it is upon the principal, and declaring that as between the State and the surety, such surety shall be deemed and taken to be a principal, and expressly prohibiting him from setting up any defense thereto, other than such as might avail the principal.

GRAND JURIES.

The experiment inaugurated in 1852, of depriving the Grand Juries of jurisdiction over misdemeanors, has been fully and fairly tested, and I respectfully submit, that the lesson taught has not confirmed the wisdom of this change, in the administration of our penal

code. Experience, I think, has clearly demonstrated that where it is not made the sworn duty of some properly constituted tribunal to make diligent inquiry and true presentment, as to the minor offenses against the penal code, these offenses will go unpunished, and thereby beget a disregard of law, and result in the increase of crime.

The General Assembly has already found it necessary to restore the jurisdiction of Grand Juries over one class of misdemeanors, and it is not perceived why the same considerations which induced this partial return to the old system, do not require a complete restoration of the jurisdiction so long exercised by the Grand Inquests of the several counties. I therefore respectfully recommend the restoration of this jurisdiction.

EMIGRATION.

The return of peace will increase the tide of emigration from Europe to the United States, whilst many of the brave soldiers of Indiana, who have been campaigning in the Southern States will doubtless seek new homes in the regions through which they have marched. These considerations render it of the highest importance that steps should be taken to attract to this State the largest possible number of foreign emigrants.

To this end, I repeat the recommendation for the establishment of a Bureau of Emigration, contained in my last regular message.

WORLD'S FAIR.

In this connection I call your attention to the subject of the World's Fair, or "Universal Exposition," to be opened at Paris, France, on the 1st of April, 1867. It is eminently desirable that specimens of the agricultural productions, manufactures, mechanical improvements, and mineral wealth of Indiana, should be there exhibited. They would constitute the best advertisement, to the people of the Old World, of the great resources, progress and wealth of the State, the energy, intelligence, and refinement of her people, and the superior inducements and advantages presented to immigration.

I recommend to your consideration the propriety of making provision for such exhibition, and herewith lay before you certain documents in regard to the Fair which I have received from the Secretary of State of the United States.

EDUCATION.

The subject of education will doubtless have your early and careful consideration. I cannot refrain from again recommending the speedy establishment of a State Normal School. Competent and skillful teachers are essential to a good system of education, and these cannot be supplied in sufficient numbers to meet the increasing wants of our people, without an institution whose business it shall be to train teachers for their profession.

MORGAN RAID.

I again respectfully invite the attention of the General Assembly to the damages occasioned to some of our citizens, by the invasion of the State by John Morgan, in 1863. I have seen no cause for changing the views expressed on this subject in my regular message delivered at the commencement of your last session, and therefore repeat the recommendation therein made.

SCHOOL FUND.

The first section of Article Eight of our State Constitution provides as follows: "Knowledge and learning, generally diffused throughout a community, being essential to the preservation of free government, it shall be the duty of the General Assembly to encourage by all suitable means, moral, intellectual, scientific, and agricultural improvement; and to provide by law for a general and uniform system of common schools, wherein tuition shall be without charge, and equally open to all." The language of this provision is very broad, and would seem, in letter and in spirit, to embrace all the children of the State without regard to *color*. Surely it cannot be denied that, as we have a colored population in our midst, it is our interest, independent of those considerations of natural justice and humanity which plead so strongly, to educate and elevate that population. An ignorant and degraded element is a burden and injury to society, whatever may be its color. It therefore becomes a matter of sound political economy, as well as absolute justice, that whatever colored population we may have should be educated, and enabled to become intelligent, industrious, and useful members of the community. It is also especially important at this time, when the President of the United States and the people of the North are requiring the people of the South to make provision for educating th eir co

population, and protecting them in the enjoyment of civil rights, that the Northern States should set the example, and practice what they preach, by extending to their smaller colored population the rights and benefits which they demand for them from others.

The laws of Indiana exclude colored children from the common schools, and make no provision whatever for their education. I would therefore recommend that the laws be so amended as to require an enumeration to be made of the *colored* children of the State, and such a portion of the School Fund as may be in proportion to their number, be set apart and applied to their education by the establishment of separate schools, under such suitable provisions and regulations as may be deemed proper. I would not recommend that white and colored children be placed together in the same schools, believing, as I do, in the present state of public opinion, that to do so would create dissatisfaction and conflict, and impair the usefulness of the schools. I am informed that a system can be devised, by which separate schools for the education of colored children can be successfully maintained in various parts of the State, and believe that justice, humanity, and sound policy require that it should be done.

By the school law of 1865, negroes and mulattoes are not taxed for the support of common schools, but if colored schools should be established this law should be so amended as to subject them to like taxation with white persons for educational purposes.

TESTIMONY OF COLORED PERSONS.

In my message to the Legislature at the last session, I held the following language in regard to the admission of the testimoney of colored persons in cases in which white persons are parties:

"The statute which excludes negroes from testifying in courts of justice, in cases in which white persons are parties, is, in my opinion, a stigma upon the humanity and intelligence of the State. The idea that the white race must be protected against the colored, by imposing on them this disability, is absurd, and has been made the cover and protection of much crime and injustice. As the law stands, murder may be perpetrated with impunity by white persons in the presence only of colored witnesses, and it is well known that negroes are often employed by white persons as the instruments of crime and fraud, because of their inability to testify in courts of justice. The interests of both races demand that this disability be removed; and if the fact of color affects credibility, that can be referred to the

court and jury as in other cases, and would undoubtedly receive due consideration. Indiana and Illinois are the only free States whose statute books are dishonored by the retention of a law so repugnant to the spirit of the age, and the dictates of common sense."

I can add nothing to the force of what I have before said, but desire again earnestly to recommend the repeal of this obnoxious statute. It is due, however, to the State of Illinois, to say that her statute book is no longer disgraced by this law, and that Indiana has the bad eminence of being the only State in the North that retains it.

INDIANA TROOPS.

The part which Indiana has taken in the war for the suppression of the rebellion, is a matter upon which the citizens of the State may justly pride themselves.

In the number of troops furnished, and in the amount of voluntary contributions rendered, Indiana, in proportion to her population and wealth, stands equal to any of her sister States. It is also a subject of gratitude and thankfulness that, whilst the number of troops furnished by Indiana alone in this great contest would have done credit to a first class nation, measured by the standard of previous wars, not a single regiment, battery, or battalion from this State has brought reproach upon the national flag, and no disaster of the war can be traced to any want of fidelity, courage, or efficiency on the part of any Indiana officer.

The endurance, heroism, intelligence, and skill of the officers and soldiers sent forth by Indiana to do battle for the Union, have shed a lustre on our beloved State of which any people might justly be proud. Without claiming superiority over our loyal sister States, it is but justice to the brave men, who have represented us on almost every battle field of the war, to say that their deeds have placed Indiana in the front rank of those heroic States which rushed to the rescue of the imperiled government of the nation.

The total number of troops furnished by the State for all terms of service in the armies of the Union, exceeds two hundred thousand men, much the greater portion of these being for three years; and in addition to this not less than fifty thousand State militia have from time to time been called into active service to repel rebel raids and defend our southern border from invasion; all of which will be fully shown in the official report of the Adjutant General, now in course of preparation for publication.

Since the end of the war, all the Indiana troops have been mustered out of service except eighteen regiments of infantry, and three regiments of cavalry. Every effort consistent with the interests of the Government has been made by the Executive Department of the State to procure the early muster out of these remaining Indiana regiments, and assurances have been received that orders for their discharge will be issued as soon as their services can be dispensed with. For other interesting details relating to our troops you are respectfully referred to a communication from the Adjutant General herewith submitted.

REORGANIZATION.

Since the adjournment of the Legislature the civil war which had desolated our country has terminated in the complete triumph of the Government and the suppression of the rebellion. The evacuation of Richmond, and the capitulation of Lee's army, were rapidly followed by the surrender of every other rebel army in the field, and irregular guerrilla warfare almost entirely passed away in a few weeks. The suppression of the rebellion and the subjugation of armed rebels seems to be complete, while every rebel State has confessed to the irretrievable destruction of the institution of slavery. The people of the South have been beaten and overpowered in the field; they have wholly lost their property in slaves; much of their country has been overrun and made desolate by the march and ravage of great armies; poverty and wretchedness have been brought home to large classes who before had lived in wealth and luxury; large numbers of their population have perished in the conflict, and there is prevailing among them great exasperation and bitterness which time alone can assuage.

The great majority, however, appear to regard the verdict of the war as irreversible, and to promptly accept the situation as one they cannot modify or put aside. But while the heresy of State sovereignty has been extirpated, and the questions involved in the conflict settled by the arbitrament of arms, it is yet of the greatest importance to the nation that these questions be adjudicated and determined by the highest judicial tribunal, which might most appropriately be done in the trial, for high treason and other atrocious crimes, of the chief instigator and head of this most wicked and bloody rebellion. It should be definitively established as a principle in our Constitution, both by judicial decision and example of punishment, that rebellion is treason, that treason is a crime which may not be committed with impunity; and that there is but one sovereignty, which resides in the collective and undivided people of the United States.

The work of reorganizing the Governments of the rebel States, and bringing them again into practical relations with the Government and people of the United States, is now upon the country, and demands for its successful performance the greatest wisdom, patience, and forbearance.

But while it is important that the work of reorganization shall not be unnecessarily delayed, it is more important that it shall proceed upon sound principles, which will furnish guarantees for the future integrity and peace of the Republic. The principal discussions which arise on this subject pertain to the future status of the negro in the Southern States. By some it is urged that conferring suffrage upon him shall be made a condition of reorganization, or in other words that the States lately in rebellion shall not be permitted to resume their practical relations with the Government, except upon the terms of first conferring the rights of suffrage upon their freedmen. As to the manner in which this measure shall be accomplished, the friends of it differ. Some are in favor of persistently excluding the members of Congress from the Southern States, until negro suffrage has been incorporated into their several Constitutions. Others assume that the States lately in rebellion are no longer members of the Union, but have forfeited and lost their character as States, and are in fact held as conquered provinces, and, like unorganized territories which may have been acquired by the Government, are under the complete control and jurisdiction of Congress, which may confer suffrage upon whomsoever it pleases.

The subject of suffrage is, by the national Constitution, expressly referred to the determination of the several States, and it can not be taken from them without a violation of the letter and spirit of that instrument.

But without stopping to discuss theories or questions of constitutional law, and leaving them out of view, it would, in my opinion, be unwise to make the work of reconstruction depend upon a condition of such doubtful utility as negro suffrage.

It is a fact, so manifest that it should not be called in question by any, that a people who are just emerging from the barbarism of slavery are not qualified to become a part of our political system, and take part, not only in the government of themselves and their neighbors, but of the whole United States. So far from believing that negro suffrage is a remedy for all of our national ills, I doubt whether it is a remedy for any, and rather believe that its enforcement by Congress would be more likely to subject the negro to a merciless

persecution, than to confer upon him any substantial benefit. By some it is thought that suffrage is already cheap enough in this country; and the immediate transfer of more than a half a million of men from the bonds of slavery, with all the ignorance and degradation upon them which the slavery of generations upon southern fields has produced, would be a declaration to the world that the exercise of American suffrage involves no intellectual or moral qualifications, and that there is no difference between an American freeman and an American slave, which may not be removed by a mere act of Congress. What is far more important to the freedmen than suffrage, is that their several States shall give them the right to testify in courts of justice, afford to them the ordinary judicial machinery for the protection of their civil rights, provide for their education, and thus enable them to qualify themselves for the higher political duties of the citizen. It is not less vital to their interests that the Constitutional Amendment be adopted, which not only forever prohibits slavery throughout the nation, but confers upon Congress the power of legislating for the protection of their liberty and civil rights; and these things, among others, the President of the United States has imposed as precedent conditions in the work of reorganization, and has declared his purpose to hold and govern these States by military authority, as in a state of war, until they have been complied with. Time, and the influence of the new conditions by which they are surrounded, will elevate the condition of one race, and soften the prejudices and asperities of the other, and will accomplish what legislation and violent political changes can not. The inevitable presence of both races upon the same soil, the demands and necessities of capital and labor, and the unavoidable community of interest, will, in process of time, I can not doubt, force a reciprocity of rights and privileges. The institution of slavery was so closely intertwined about the foundation of society in the Southern States, that, when it was destroyed, society was uprooted and broken to pieces. The process of its reconstruction is but beginning, but it is very certain that the new structure will differ, in most essential particulars, from the old. Free labor, free speech, and free schools, will come into it as new and powerful elements of change and progress, and large emigration from the Northern States and from Europe, bringing commerce, manufactures and improved agriculture, will exert a modifying and beneficial influence, the effect of which can hardly be over-estimated.

Another amendment, not only conducive to the interests of the freedmen, but demanded by the rights and interests of the white peo-

ple of the North, should be made, changing the basis of representation in Congress, and the apportionment of political power, among the several States. The present provision in the Constitution of the United States concerning this, reads as follows: "Representatives and direct taxes shall be apportioned among the several States, which may be included within this Union, by adding to the number of free persons, including those that may be bound to service for a term of years, and excluding Indians not taxed, *three-fifths* of all other persons." The phrase, "three-fifths of all other persons," was a periphrastic description of the slave population, and gave representation for three-fifths of their number. By the abolition of slavery, this population is added to the "number of free persons," and thus increases the basis of representation by the addition of two-fifths.

The inequality produced between the several States by this form of representation, is too palpable to require argument. By its operation, eight millions of white people in the Southern States hold and exercise political power full sixty per cent. greater than an equal number of white people in the Northern States, by reason of having in their midst four and a half millions of negroes. This provision was the chief compromise which our fathers made with the institution of slavery, and although, through a sense of its great injustice, it has been impatiently acquiesced in by the Northern people, yet it has been carried out in good faith; but now that slavery, the foundation of this compromise, has passed away, the provision should be so changed as to suit the altered condition of the country, and do justice to every part of the nation. If it were so amended as to apportion representation and political power among the several States according to the actual number of male voters over the age of twenty-one years, it would be equally fair for all, and would put it out of the power of the people of any State, or class of States, to increase or double their political power by the presence in their midst of a population which they themselves deprive of all political rights; and thus an inducement would be presented to the several States, in order to enlarge their power in the Government, to confer political rights upon every class of persons, without regard to color or nationality, as rapidly as might be deemed consistent with their true interests.

By the census of 1860, the fifteen slave States were allowed eighty-four (84) members of Congress, because of the representation of three-fifths of their slaves, and now that the slaves are made free, and the other two-fifths added to their basis of representation, they

would be entitled to fourteen members more, although, perhaps, in point of law, this increase cannot take place anterior to the year 1870. If the negro population was equally diffused throughout all the States, this inequality would not exist, but the fact is, it is not so diffused, and the probability is that the concentration in the Southern States will become greater from year to year by the emigration thither of the colored population of the North. According to the census of 1860, the Southern States upon a *white* basis would have been entitled to sixty-six members of Congress, instead of eighty-four according to the existing basis.

Whatever opposition there may be to the adoption of this proposed amendment, it amounts, when stripped of its coverings and sophistries, simply to this: that the white people of the South shall continue to exercise in the future, as in the past, sixty per cent. more of political power in the National Government, than an equal number of white people in the North, and for this great inequality and injustice I am wholly unable to perceive any good or sufficient reason.

Should such an amendment be passed by the requisite majorities through the Congress of the United States, before your final adjournment, I would most respectfully, but earnestly, recommend its immediate ratification on your part.

In conclusion upon this subject, I am not of the opinion that the Herculean work of reconstruction will be accomplished at one time, by any general and sweeping process, but that it will proceed State by State, as each one shall conform to the requirements of the Government, and show itself loyal and prepared to resume its practical relations in the Union. The conditions which have been imposed upon these States by the President, are not only reasonable and legitimate, but are dictated by justice and a wise foresight for the future of the Republic, and although they may not be accepted this year, or even the next, yet that they ultimately will be I have no doubt. And if the work of reorganization shall be successfully completed within the same period which was required to put down the rebellion, it will be within the limit of my expectations.

CONCLUSION.

The war has established upon imperishable foundations, the great fundamental truth of the unity and indivisibility of the nation. We are many States but one people, having one undivided sovereignty, one flag, and one common destiny. It has also established, to be confessed by all the world, the exalted character of the American

Soldier, his matchless valor, his self-sacrificing patriotism, his capacity to endure fatigues and hardships, and his humanity, which in the midst of carnage has wreathed his victorious achievements with a brighter glory.

He has taught the world a lesson before which it stands in amazement, how, when the storm of battle had passed, he could lay aside his arms, put off the habiliments of war, and return with cheerfulness to the gentle pursuits of peace, and show how the bravest of soldiers could become the best of citizens.

To the Army and Navy, under the favor of Providence, we owe the preservation of our country, and the fact that we have to-day a place, and the proudest place, among the nations.

Let it not be said of us, as it was said in olden time, that "Republics are ungrateful." Let us honor the dead, cherish the living, and preserve in immortal memory the deeds and virtues of all, as an inspiration for countless generations to come.

OLIVER P. MORTON.

The object of the Joint Convention having been accomplished, the Speaker of the House declared the Convention adjourned.

The Senate then retired to their chamber.

On motion by Mr. Hamrick,

The House adjourned till 2 o'clock P. M.

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2 O'CLOCK, P. M.

The House met.

HOUSE BILLS ON SECOND READING.

No. 34. A bill to amend the eighteenth section of an act entitled "an act regulating the decents and apportionments of estates."

On motion by Mr. Kilgore,

The bill was read a second time, and bill and amendments were indefinitely postponed.

House bill No. 44. A bill to amend the seventy-sixth section of an act entitled "an act defining misdemeanors and prescribing punishment therefor," approved June 14th, 1852, was taken up, and the following, heretofore reported by the Committee on the Judiciary, was read:

MR. SPEAKER:

The Judiciary Committee, to whom was referred House bill No 44, entitled "an act to amend the seventy-sixth section of an act entitled 'an act defining misdemeanors, and prescribing punishment therefor, approved June 14, 1862,'" respectfully report that the House has passed a bill from the Senate, upon the same subject. Your Committee, therefore, report back House bill No. 44, and recommend that it be laid on the table.

The recommendation of the report was concurred in, and the bill laid on the table.

No 81. A bill to amend the second section of "an act to enable the owners of wet lands to drain and reclaim them, when the same cannot be done without affecting the lands of others," approved march 7, 1863, was taken up with the following recommendation from Committee on Swamp Lands.

MR. SPEAKER:

The Committee on Swamp Lands to whom was referred House bill number 81—a bill to amend section two of an act entitled "an act to enable the owners of wet lands to drain and reclaim them, &c.," approved march 7th, 1863—have had the same under consideration, and direct me to report the same back to the House, and recommend its passage.

Which was read a second time, ordered to be engrossed, and passed to a third reading.

No. 95. A bill to enable railroads to alter their lines in certain cases, was taken up with the following amendment, heretofore recommended by the Committee on Railroads:

MR. SPEAKER:

The Committee on Railroads, to whom was referred House bill No

95, have had the same under consideration, and have instructed me to report the same back with the following amendment, and, when so amended, recommend its passage:

First, Amend section one by adding the following:

"And any change so made by any Railroad Company, shall subject them to the payment of all damages that may be sustained by any parties from such change, to be recorded the same as other damages are now recorded.

On motion by Mr. Hamrick,
Said bill and pending amendments were referred to the Committee on Corporations.

No. 101. A bill to entitle Recorders to their fees in advance, and allowing them compensation for keeping up entry book and general indexes, and repealing all laws inconsistent therewith,
Was taken up with the following recommendation, heretofore reported by the Committee on Fees and Salaries:

MR. SPEAKER:

The Committee on Fees and Salaries, to whom was referred House bill No. 101, "an act to entitle Recorders to collect their fees in advance, and allowing them compensation for keeping up entry book and general indexes, and repealing all laws inconsistent therewith," have had the same under consideration, and have directed me to report the bill back and recommend its passage.
Which was read a second time.

Mr. Higgins moved to indefinitely postpone said bill.
Which was not agreed to.

On motion by Mr. Newcomb,
House bill No. 101 was referred to the Committee on the Judicia

No. 108. A bill to amend the 35th section of the act entitled "an act to repeal all general laws now in force for the incorporation o cities, and to provide for the incorporation of cities, prescribe their powers and rights, and the manner in which they shall exercise the same, and to regulate such other matters as properly pertain thereto," approved March 9th, 1857,

Was taken up with the following recommendation, heretofore reported by the Committee on Corporations:

MR. SPEAKER:

The Committee on Corporations, to whom was referred House bill No. 108, have had the same under consideration, and instruct me to report the same back to the House and recommend its passage.

Which was read a second time, and,

On motion by Mr. Hamrick,

Was laid on the table.

No. 121. A bill to cure defective acknowledgements of deeds in certain cases.

Was taken up with the following recommendation, heretofore reported by the Committee on the Judiciary:

MR. SPEAKER:

The Judiciary Committee, to whom was referred House bill No. 121, entitled "a bill to cure defective acknowledgments of deeds in certain cases," respectfully report back said bill, and recommend its passage.

Which was read a second time, ordered to be engrossed, and passed to a third reading.

No. 117. A bill to amend sections 39, 42, 45, and 54, of an act entitled "an act for the incorporation of Insurance Companies, defining their powers and prescribing their duties," approved June 17th, 1852.

Was taken up with the following recommendation, heretofore reported by the Committee on the Judiciary:

MR. SPEAKER:

The Judiciary Committee, to whom was referred House bill No. 117, entitled "a bill to amend sections 39, 42, 45, and 54, of an act entitled 'an act for the incorporation of Insurance Companies, defining their powers and prescribing their duties,' approved June 17th, 1852," respectfully report back said bill to the House and recommend its passage.

Which was read a second time, ordered to be engrossed, and passed to a third reading.

No. 123. A bill to declare forfeited the right of way of certain railroad companies to branch road, no part of which has been completed and upon which no work has been done for ten years, and declaring that the right of way aforesaid shall revert to the land owners along the route thereof, was taken up with the following recommendation heretofore reported by the Committee on the Judiciary:

MR. SPEAKER:

The Committee on the Judiciary, to whom was referred House Bill No. 123, entitled a bill to declare forfeited the right of way of certain railroad companies to branch roads, no part of which has been completed, and upon which no work has been done for ten years, and declaring that the rights of way aforesaid shall revert to the land owners along the route thereof. Have had the same under consideration and have directed me to report the same back and recommend its passage.

Which was read a second time and ordered to be engrossed and passed to a third reading.

No. 135. A bill to amend the six hundred and fifty-first section of an act entitled an act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the Courts of this State to abolish distinct forms of action at law and to provide for the administration of justice in a uniform mode of pleading and practice without distinction between law and equity, passed June 18th, 1852.

Was taken up and read a second time, ordered to be engrossed and passed to a third reading.

No. 138. A bill to amend an act entitled an act to provide a treasury system for the State of Indiana, for the manner of receiving, holding and disbursing the public moneys of the State, and for the safe keeping of public moneys, passed March 1st, 1859, approved March 5, 1861.

Was taken up with the following recommendation from the Committee on Fees and Salaries:

MR. SPEAKER:

The Committee on Fees and Salaries to whom was referred House bill No. 138, entitled "an act to amend an act, to provide a Treasury

System for the State of Indiana, for the manner of reciving, holding and disbursing the public moneys of the State, and for the safe keeping of the public moneys, approved March 5th, 1861," have instructed me, after due consideration, to report the same back to the House, and recommend its passage.

Which was read a second time, ordered to be engrossed and passed to a third reading.

No. 141. A bill to give Circuit and Common Pleas Judges additional powers in civil and criminal cases during vacation.

Was taken up with the following amendments heretofore reported by the Committee on the Judiciary:

Mr. Speaker:

The Judiciary Committee to whom was referred House bill No. 141, entitled "a bill to give Circuit and Common Pleas Judges additional powers in civil and criminal cases in vacation," respectfully report back said bill to the House and recommend the following amendments:

To insert after the word "party," in the 14th line of section 1st, the following words, to-wit:

"Reasonable notice having been first given to the opposite party of the time and place at which said motion will be made, except that no notice for an application for an injunction or restraining order need be given, where the same is not now required by law.

And that the 2nd section be stricken out and the following inserted instead thereof:

Sec. 2. The Judge before whom any such motion is made, shall make such order in regard to the costs of such motion as shall be right, and in every such case, as aforesaid, all his orders shall be in writing signed by him, and shall be filed and constitute a part of the Record of the action.

And upon the adoption of said amendments the committee recommend its passage.

The amendments were agreed to, and bill No. 141 read a second time, ordered to be engrossed and passed to a third reading.

No. 148, a bill to amend the 22d section of an act entitled "an act defining misdemeanors and prescribing punishment therefor," approved June 14, 1852.

Was taken up with the following recommendation, heretofore reported by the Committee on County and Township Business.

MR. SPEAKER:

The Committee on County and Township Business, to whom was referred House bill No. 148, entitled "a bill to amend the 22d section of an act defining misdemeanors, and prescribing punishment therefor," have had the same under consideration, and have instructed me to report the same back, with the recommendation for its passage without amendments.

Which was read a second time, ordered to be engrossed and passed to a third reading.

No. 150, a bill prescribing the number of Senators and Representatives of the General Assembly of the State of Indiana.

Was taken up with the following amendments, heretofore reported from the Committee on the Judiciary.

MR. SPEAKER:

The Judiciary Committee, to whom was referred House bill No. 150, entitled "an act prescribing the numbers of Senators and Representatives of the General Assembly of the State of Indiana," respectfully report back said bill to the House, and recommend that said bill be amended by striking out the word "twenty-five," in the 9th line thereof, and insert the word "thirty-three," and amend farther by striking out the word "fifty," in the 10th line, and insert the word "sixty-seven," therefor, and upon the adoption of said amendments, the committee recommend the passage of the bill.

The amendments were read.

The first amendment was concurred in.

Mr. Prather moved to amend the second amendment by striking out "sixty-seven," and inserting in lieu thereof the words "ninety-four."

Mr. Henricks moved a division of the question, by striking out sixty-seven.

Which was not agreed to.

The question then being on agreeing to the second amendment as reported by the committee,

Messrs. Prather and Griffith demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Bird, Bonner, Boyd, Branham, Burnes, Burwell, Caldwell, Chambers, Church, Coffroth, Collins, Cowgill, Cox, Croan, Crook, Ferris, Gleason, Goodman, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, Humphreys, Hunt, James, Kilgore, Lane, Lee, Lockhart, Lopp, Major, Meredith, Miller, Milrey, Montgomery, Newcomb, O'Brien, Olleman, Osborn, Patterson, Pinney, Reece, Rhoads, Richards, Richardson, Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Stringer, Stuckey, Sullivan of Scott, Trusler, Veach, Weikel, Welch, Woodruff, Wright, Woods, Zeigler and Mr. Speaker—81.

Those who voted in the negative were,

Messrs. Burton, Foulke, Gregg, Lasselle, Prather, Riford, Thatcher, and White—8.

So the amendment was agreed to.

Mr. Harrison moved that the bill be indefinitely postponed.

Pending which,

On motion by Mr. Milroy,

The House adjourned.

WEDNESDAY, 9 o'clock, A. M., November 15, 1865.

The House met, pursuant to adjournment.

The Journal of yesterday was read and approved.

The Speaker announced the following committees:

Committee on resolution of Nov. 13, in regard to a Revision of the Rules, Messrs. Higgins, Brown, Prather, Lasselle and Kilgore.

Committee on resolution of the House No. 13, in regard to employees, Messrs. Newcomb, Coffroth, Lockhart, Henricks and Hargrove.

PETITIONS, MEMORIALS AND REMONSTRANCES.

The Speaker laid before the House a memorial from the Commissioners of Miami County, in regard to Soldiers' and Seamen's Relief Act.

Mr. Boyd moved to refer said memorial to the Committee on the Judiciary.

Mr. Atkinson moved to refer to the Committee on Ways and Means.

Mr. Groves moved to refer to the Committee on County and Township Business.

The vote recurring on the motion made by Mr. Atkinson.

It was so referred.

By Mr. Gregory, of Warren,

On the same subject, from the Commissioners of Warren county. Referred to the same committee without reading.

By Mr. Stuckey:

On the same subject, from the Commissioners of Owen county. Referred to the same committee without reading.

By Mr. Crook:

On the same subject, from the Commissioners of Lawrence county. Which was referred to the same committee without reading.

By Mr. Rice:

On the same subject, from the Commissioners of Parke county. Which was referred to the same committee without reading.

By Mr. James:

On the same subject, from the Commissioners of Grant county. Which was referred to the same committee without reading.

By Mr. Osborn:

On the same subject, from the Commissioners of Franklin county. Which was referred to the same committee without reading.

By Mr. Cox:

On the same subject, from the Commissioner of Wayne county. Which was referred to the same committee without reading.

By Mr. Atkinson:

On the same subject, from the Commissioners of Benton county. Which was referred to the same committee without reading.

By Mr. Montgomery:

On the same subject, from the Commissioners of Howard county. Which was referred to the same committee without reading.

By Mr. Branham:

On the same subject, from the Commissioners of Jefferson county. Which was referred to the same committee without reading.

By Mr. Sabin:

On the same subject, from the Commissioners of Steuben county Which was referred to the same committee without reading.

The Speaker laid before the House a petition from sundry citizen

of Franklin county, praying for a change in the law licensing the sale of spirituous liquors.

Which was referred to the Committee on Temperance.

By Mr. Rhoads:

A petition from sundry citizens of Vermillion county to change the law licensing the sale of spirituous liquors.

Which was referred to the Committee on Temperance.

By Mr. Branham:

From sundry citizens of Jefferson county, on the subject of Temperance.

Which was referred to the same committee.

By Mr. Osborne:

From John W. Keely and sundry other citizens of Franklin county, on the same subject.

Which was referred to the same committee.

By Mr. Welch:

From sundry citizens of Switzerland county, on the same subject.

Which was referred to the same committee.

By Mr. Burton:

From sundry citizens of Sullivan county, on the same subject.

Which was referred to the same committee.

Mr. Newcomb offered the following resolution:

Resolved, That 15,000 copies of the Governor's Message be printed—3,000 of which shall be printed in the German language, and that 6,000 copies shall be delivered to the Governor for his use, and the residue to the members of this House.

Mr. Griffith offered the following amendment:

Resolved, That four thousand copies in the English language, and one thousand copies in the German language of the Governor's Message, be printed immediately for the use of the House.

Mr. Hamrick moved to amend by striking out "four thousand," and inserting "five thousand" in lieu thereof.

The greatest number taking precedence.

The question being on the rsolution offered by Mr. Newcomb, Messrs. Higgins and Goodman demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Boyd, Brown, Burns, Chambers, Church, Coffroth, Cowgill, Crook, Ferris, Foulke, Gleason, Goodman, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Harrison, Hennicks, Hoover, Kilgore, Lasselle, Lemon, Litson, Lopp, Major, Meredith, Montgomery, McVey, Newcomb, Olleman, Perigo, Pinney, Reese, Rhoads, Rice, Riford, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Stewart, Stivers, Stringer, Sullivan of P. and V., Upson, Veach, Weikel, Welch, Woodruff, Wright, Woods, Zeigler and Mr. Speaker —57.

Those who voted in the negative were,

Messrs. Bird, Bonner, Burton, Burwell, Caldwell, Collins, Cox, Croan, Davidson, Glazebrook, Gregg, Hamrick, Hargrove, Hershey, Higgins, Hogate, Howard, Humphreys, Hunt, James, Lane, Lee, Miller, Milroy, O'Brien, Osborn, Patterson, Richards, Richardson, Roach, Sabin, Stuckey, Sullivan of Scott, and White—34.

So the resolution was agreed to.

Mr. Shuey offered the following resolution:

Resolved, That so much of the Governor's message as refers to a House of Correction for juvenile offenders be referred to a special committee and that said committee be instructed to report a bill to establish a Reform School for juvenile offenders at an early day.

Which was agreed to.

Mr. Harrison offered the following resolution:

Resolved, That the Doorkeeper be authorized to contract with the proprietors of the Daily Herald, Daily Journal and Daily Telegraph for three copies of each of said papers, for the use of the members of this House, and that two copies of the Herald and Journal, and

the said three copies of the Telegraph be folded and stamped, and placed on the desks of the members.

Which was agreed to.

Mr. Lockhart offered the following resolution:

Resolved, That one Clerk shall be appointed by the Speaker, whose business it shall be to take charge of the folding rooms, receive the mail in bulk from the Post Office, and all Public Documents, and place the same in the boxes heretofore appropriated to the use of each member, and to arrange said room so as to prevent the occupation of it by any and all persons excepting those necessary to assist in the distribution of the mail matter to the members entitled to the same.

On motion by Mr. Lockhart,

Said resolution was referred to a Select Committee of five.

BILLS INTRODUCED.

House Bill No. 206. An act to amend section 7th of an act entitled an "act to provide for the erection and repair of bridges and to repeal an act entitled an act to provide for the erection and repair of bridges," approved May 12, 1852.

Which was read a first time and referred to the Committee on County and Township Business.

By Mr. Coffroth:

House Bill No. 207. A bill regulating Foreign Insurance Companies doing business in this State, prescribing the duties of the Agents thereof, and of the Auditor of State, in connection therewith.

Which was read a first time and referred to the Committee on Corporations.

By Mr. Gregory, of Warren:

House Bill No. 208. A bill to amend the first and tenth sections of an act to provide for a general system of Common Schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officials therein named, and for the establishment and regulation of

Township Libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed, approved March 6, 1865.

Which was read a first time and referred to the Committee on Education.

HOUSE BILLS ON SECOND READING.

Pending the adjournment on yesterday,

House Bill No. 150. A bill prescribing the number of Senators and Representatives of the General Assembly of the State of Indiana.

The question being on the motion made by Mr. Harrison to indefinitely postpone said bill.

Mr. Brown moved to refer the bill and pending amendment to the Committee on the Judiciary.

Mr. Coffroth moved to amend by referring the same to the Committee on the Rights and Privileges of the inhabitants of the State.

Which was accepted by Mr. Brown and House bill No. 150 was so referred.

Mr. Newcomb moved that House bill No. 77 be taken from the table, and placed on the files of the House.

Which was agreed to.

House bill No. 151. A bill to encourage the republication of Blackford's Reports, and appropriating money to pay the same, was then taken up, and with the following recommendation heretofore made by the Committee on the Judiciary.

MR. SPEAKER:

The Judiciary Committee, to whom was referred House bill No. 151, entitled "an act to encourage the republication of Blackford's Reports, and appropriating money to pay for the same," respectfully report back said bill to the House, and recommend its passage.

Was read a second time, and, under Rule 51, committed to Committee of the whole House.

House bill No. 154. A bill to amend the seventh section of an act entitled "an act providing for the election of Clerks of the Cir-

cuit Court, and prescribing some of their duties, approved June 7, 1852," was then taken up and read a second time, and on motion of Mr. Miller, was referred to the Committee on the Organization of Courts of Justice.

On motion by Mr. Harrison,

House bill No 33 was taken from the table, and placed on the files of the House.

House bill No. 163. A bill creating the 14th Judicial Circuit, and fixing the time of holding Court therein, was then taken up and read a second time, and, on motion of Mr. Griffith, it was referred to a committee of five, to be composed of members in the Districts such bill affects.

House bill No. 171. A bill making an appropriation to pay the indebtedness of the State Prison North, which had accrued prior to the eleventh day of March, A. D., 1863, was taken up and read a second time.

Mr. Newcomb moved to lay the bill on the table.

Which was agreed to.

House bill No. 173. A bill to amend an act entitled "an act to encourage the destruction of wolves, approved June 9, 1852," was read a second time, ordered to be engrossed, and passed to a third reading.

House bill No 174. A bill for the protection of fish in the rivers streams, lakes and ponds, within the State of Indiana, except the Ohio river and Lake Michigan.

Was taken up with the following amendments heretofore reported from the Committee on the Rights and Privileges of the Inhabitants of the State.

Mr. Speaker:

The Committee on Rights and Privileges, to whom was referred House bill No. 174, have had the same under consideration, and would recommend the following amendment:

Strike out all after the enacting clause, and insert the following:

Sec. 1 That it shall be unlawful for any persons to catch or take fish in any lake, river, creek or stream in the State of Indiana, except Lake Michigan or the river Ohio, with any kind of seine, net or trap, or in any other manner, except with hook and line, or gig.

Sec. 2. Every person who shall catch or take any fish in any lake, river, creek or stream in this State except Lake Michigan and the river Ohio, with any seine, net or trap, or in any other manner except with hook and line, or gig, shall be deemed guilty of a misdemeanor, and fined not less than ten, nor more than one hundred dollars, in any Court of competent jurisdiction.

Provided, That the catching of minnows with seine, net or trap, shall not be deemed unlawful.

Sec. 3. An emergency exists for this bill to take effect immediately; the same shall therefore take effect and be in force from and after its passage. And when so amended, would recommend its passage.

Which was read a second time, and,

On motion by Mr. Kilgore,

Was recommitted back to the same committee.

House bill No. 177. A bill to amend section 143 of an act entitled "an act, amendatory of an act to provide for the publication of delinquent taxes," approved May 31, 1861,

Was taken up with the following recommendation, heretofore made by the Committee on Printing.

MR. SPEAKER:

The Committee to whom was referred House bill No. 177, which is an act entitled "an act amendatory of an act to provide for the publication of delinquent taxes," approved May 31, 1861, respectfully report the same back to the House, and recommend its passage.

Was read a second time, and,

On motion by Mr. Montgomery,

Was recommitted to the Committee on Printing.

House bill No. 179. A bill to amend section "first," of "an act to

incorporate the Trustees of the Indiana Female College," approved February 13, 1851,

Was taken up, and on motion by Mr. Newcomb, indefinitely postponed.

House bill No. 181. A bill to amend section seven of an act entitled "an act providing for the election of Clerks of the Circuit Court, and prescribing some of their duties," approved June 7, 1852,

Was taken up with the following recommendation, heretofore reported from a select committee:

MR. SPEAKER:

The select committee to whom was referred House bill No. 181, have had the same under consideration, and instruct me to make the following report thereon; they recommend that said bill be amended by inserting after the word Treasurer, in the 24th line of the amendatory section, the following words:

Such Clerk shall be entitled to a fee of fifteen cents for every one hundred words contained in the lists and copies above required. Also strike out all after the word "dollars" in the fourth line from bottom of said section, and when so amended, they recommend the passage of said bill,

Which was read a second time.

Mr. Olleman moved to refer said bill, and pending amendments, to the Committee on the Organization of Courts of Justice,

Which was agreed to.

House bill No. 184. A bill to amend "an act regulating fees of officers, and repealing former acts in relation thereto," was taken up with the following recommendations heretofore made by the Committee on Fees and Salaries.

MR. SPEAKER:

The Committee on Fees and Salaries, to whom was referred House bill No. 184, "an act to amend an act regulating the fees of officers and repealing former acts in relation thereto," have had the same under consideration and report it back, recommending its passage.

Was read a second time, ordered to be engrossed, and passed to a third reading.

House bill No. 185. A bill to provide for the election of directors of corporations, and to prevent the dissolution and forfeiture of their franchises in certain cases,

Was then taken up with the following recommendations from the Committee on the Judiciary.

MR. SPEAKER:

The Judiciary Committee to whom was referred House bill No. 185, entitled "an act to provide for the election of directors of corporations, and to prevent the dissolution and forfeiture of their franchises in certain cases," respectfully report back said bill to the House, and recommend its passage.

Was read the second time, ordered to be engrossed and passed to a third reading.

House bill No. 189. A bill to amend section 52 of an act entitled "an act to amend an act to authorize and regulate the business of general banking," passed the House and Senate of the General Assembly, the Governor's objection thereto notwithstanding, on the 3d day of March, 1855,

Was taken up with the following amendments, heretofore reported from the Committee on Banks:

MR. SPEAKER:

The Committee on Banks, to whom was referred House bill No. 189, entitled "an act to amend the 52d section of the general banking law, have had the same under consideration, and have directed me to report the same back to the House, and recommend its passage.

Which was read a second time, ordered to be engrossed and passed to a third reading.

House bill No. 190. A bill to amend section eight of an act reg

lating the fees of officers, and repealing former acts in relation thereto, approved March 2d, 1855,

Was read a second time, and,

On motion by Mr. Prather,

Referred to the Committee on Fees and Salaries.

Mr. Griffith moved that House bill No. 163 be referred to a select committee of seven, instead of five.

Which was agreed to.

House bill No. 193. A bill for the benefit of soldiers and marines, in reference to taxes assessed to raise bounties,

Was then taken up, and,

On motion by Mr. Newcomb,

Was postponed until December 31st, 1865.

Mr. Griffith offered the following resolution:

Resolved, That the resolution passed by this House respecting newspapers, shall apply to the elective officers of this House as well as to members thereof.

Which was agreed to.

The Speaker announced the following committee on House bill No. 163: Messrs. Griffith, Coffroth, Cowgill, James, Burwell, Shuey and Bird.

House bill No. 194. A bill to amend the 33d section of "an act to repeal all general laws now in force for the incorporation of cities, prescribe their powers and rights, and the manner in which they shall exercise the same, and to regulate such other matters as properly pertain thereto," approved March 9th, 1857,

Was then taken up and read a second time, and,

On motion by Mr. Coffroth,

It was referred to the Committee on Corporations.

House bill No. 196. A bill to extend the time allowed by law for the completion of gravel roads for the term of one year, in cases therein specified,

Was then taken up and read a second time.

Mr. Newcomb moved to strike out "Sentinel" and insert "Herald."

Which was agreed to.

The bill was then ordered to be engrossed, and passed to a third reading.

On motion by Mr. Coffroth,
The House adjourned.

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2 o'clock p. m.

The House met.

On motion by Mr. Henricks,
The House resolved itself into a Committee of the Whole, for the consideration of the Governor's Message, Mr. Henricks in the Chair.

After remaining in session for some time, the Committee rose and made the following report through its Chairman:

Mr. Speaker:

The Committee of the Whole House, to whom was referred the Governor's Message, have had the same under consideration, and have directed me to report the same back with the following recommendations:

That part referring to our finances, be referred to the Committee on Ways and Means.

That portion in reference to re-districting the State, be referred to a Special Committee, composed of one from each Congressional District.

That part which refers to the testimony of colored citizens, be referred to the Committee on the Organization of Courts of Justice.

That part which refers to the relief of soldiers be referred to the Committee of Ways and Means.

That portion in reference to soldiers and seamen's homes, be referred to a Select Committee of five.

That part in reference to official bonds, be referred to the Committee on the Judiciary.

That part in reference to Grand Jury, be referred to the Committee on the Organization of Courts of Justice.

That part in reference to Emigration, be referred to the Committee on the Rights and Privileges of the Inhabitants of the State.

That part in reference to the World's Fair, be referred to the Committee on Agriculture.

That part in reference to Education, be referred to the Committee on Education.

That part in reference to the State Troops, be referred to the Committee on Military Affairs.

That part in reference to Reorganization, be referred to the Committee on Federal Relations.

Mr. Newcomb being in the Chair, Mr. Henricks moved that the report of the Committee be concurred in.

Which was agreed to.

Mr. Shuey offered the following resolution:

Resolved, That a committee of three be appointed to determine the amount of stationery and postage stamps each member and officer shall be entitled to receive, and the manner in which the same shall be distributed, and that said committee be instructed to report by to-morrow morning.

Mr. Church moved to refer the resolution to the Special Committee heretofore appointed on same subject.

Which was agreed to.

Mr. Church offered the following resolution:

Resolved, That the Clerk be directed to furnish from his desk, to the Reporters of the Journal, Herald, and Telegraph, so much stationery as may be necessary for their use in reporting the proceedings of this House, keeping an account thereof, and reporting same to the House at the close of the session.

On motion by Mr. Olleman,

The resolution was referred to the Special Committee heretofore appointed on same subject.

Mr. Chambers offered the following resolution:

Resolved, That the use of this Hall be granted to Hon. Geo. W.

Julian on Friday evening, November 17th, to speak upon the political topics of the day.

Mr. Kilgore moved to add to said resolution the following:

And that Mr. Julian be, and is hereby respectfully requested, to express his views with regard to the reconstruction policy of President Johnson with such precision and certainty that his expressions may not be susceptible of more than one construction as to meaning, and certain as to approval or disapproval.

Mr. Coffroth moved to refer the resolution and pending amendment to the Committee on the Rights and Privileges of the Inhabitants of the State.

Mr. Abbott moved to lay the whole subject on the table.
Which was not agreed to.

Mr. Church moved to lay the amendment on the table.
Which was not agreed to.

The question being on referring the resolution to the Committee on Rights and Privileges,
It was not so referred.

The question then recurring on the amendment offered by Mr. Kilgore,
It was agreed to.

The question then being on the resolution as amended,
It was agreed to.

Mr. Grove offered the following resolution:

Resolved, By the House of Representatives, the Senate concurring, That, in the opinion of this General Assembly, Jefferson Davis, the leader of the late rebellion in the Southern States, ought to be tried for high treason, and, if convicted, punished according to the requirements of law.

Which, on motion by Mr. Coffroth,
Was referred to the Committee on Federal Relations.

Mr. Wood obtained permission to present a claim for A. N. Harper Bartlett Woods, of Lake.

Claims that fifty dollars, the amount paid by said claimant for forty acres of swamp land, which land had been previously sold to Mathias Joseph Hack, be refunded.

Which was referred to the Committee on Claims without reading.

BILLS ON SECOND READING.

House Bill No. 198. A bill fixing the salaries of Judges of the Supreme Court of the State of Indiana, of the Judges of the several Circuit and Common Pleas Judges thereof, and the time and manner of payment thereof; and also, to regulate the fees of prosecuting attorneys in certain cases.

Which was read a second time, and,

On motion by Mr. Henricks,

Was laid on the table.

House Bill No. 201. A bill to provide for the adjustment of the outstanding debts of the State, and the investment of the School and Trust Funds of the State in the Stocks and Bonds of the State, and to provide for the payment of the certificates of indebtedness of the State under the arrangements made with the bondholders by the acts of the legislature, approved January 19, 1846, and supplemental acts thereto, approved January 27, 1847; and to create a Board of Finance, and prescribing the duties of said Board and matters properly connected therewith.

Was then taken up, and, without reading,

On motion by Mr. Miller,

It was referred to the Committee on Ways and Means.

House Bill No. 37. A bill to amend section 15, and to repeal sections 29 and 30 of an ac regulating general elections, and prescribing the duties of officers in relation thereto, approved June 7, 1852, and prescribing further duties of the officers of elections.

Was read a second time, and,

On motion,

Referred to the Committee on Elections.

House Bill No. 77. A bill to provide for the settlement of the estates of persons who have been absent from their places of residence, and not heard from for seven years or more.

Was taken up with the following recommendation, heretofore reported, by the Committee:

MR. SPEAKER:

The committee to whom was referred House Bill No. 77, providing for the settlement of the estates of persons who have been absent from their places of residence and not heard from for seven years, direct me to report said bill back to the House, and to ask the House to lay the same on the table, inasmuch as no legislation is needed on the subject. By reference to p. 485, vol. ii., Gavin & Hord, it will be seen that the wrongs intended to be remedied by the bill are amply provided for by the act of March 5, 1859.

Was read a second time.

Mr. Olleman moved to refer said bill to the Committee on the Judiciary.

Mr. Henricks moved to lay the bill on the table,

Which was not agreed to.

The question being on referring to the Judiciary Committee,

It was so referred.

House bill No. 168. A bill to amend sections 11 and 12 of chapter seven of the Revised Statutes of 1852, first part, volume second; being an act prescribing the powers and duties of Coroner, approved May 27, 1852.

Was then taken up, and read a second time, ordered to be engrossed, and passed to a third rrading.

House bill No. 33. A bill to amend the eighth section of an act entitled "an act to regulate and license the sale of spirituous, vinous, malt, and other intoxicating liquors, to prohibit the adulteration of liquors, to repeal all former laws contravening the provisions of this act, and prescribing penalties for violations thereof, approved March 5, 1859.

Was taken up with the following recommendation, heretofore reported from the Committee on Temperance.

MR. SPEAKER:

Your committee, to whom was referred Mr. Harrison's House bill

No. 33, to amend section 8 of an act entitled "an act to regulate and license the sale of spirituous, vinous, malt, and other intoxicating liquors," &c., would respectfully report that they have had the same under consideration. The committee are of the opinion that the law should be amended as proposed by said bill, but that the committee propose to introduce a bill amending other sections of said act, in which said amendment will be fully provided for. Your committee, therefore, recommend that said bill, for the present, lay on the table.

Which, on motion, was referred back to the Committee on Temperance.

Mr. Shuey moved to take from the table House bill No. 182.

Which was agreed to.

House bill No. 182. A bill regulating sales of real estate made by County Treasurers for non-payment of taxes, and to establish the validity of tax titles,

Was read a second time, and,

On motion of Mr. Coffroth,

It was referred to the Committee on the Judiciary.

Senate bill No. 103. A bill repealing all general laws now in force for the incorporation of cities; providing for the incorporation of cities, prescribing their powers, rights and duties, and the manner in which they shall exercise the same, and regulating other matters properly connected therewith, and repealing certain acts therein specified, was taken up.

Mr. Bird moved that it be deemed expedient to suspend the Constitutional Rule, requiring bills to be read by sections on three several days, and that said bill be read by its title.

The ayes and noes were taken under the Constitution.

Those who voted in the affirmative were,

Messrs. Atkinson, Bird, Boyd, Burnes, Burton, Burwell, Church, Coffroth, Collins, Cowgill, Cox, Croan, Crook, Davidson, Ferris, Foulk, Gleason, Goodman, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, Humphreys, Hunt,

James, Kilgore, Lane Lasselle, Lee, Lemon, Lockhart, Lopp, Major, Miller, Milroy, McVey, Newcomb, Olleman, Osborn, Patterson, Perigo, Pinney, Prather, Reese, Rhoads, Richardson, Riford, Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Stewart, Stenger, Stivers, Stringer, Stuckey, Sullivan of Scott, Sullivan of P. & V., Thatcher, Trusler, Upson, Veach, Weikel, Welch, White, Woodruff, Wright and Zeigler—80.

Those who voted in the negative were,

Messrs. Abbett, Burwell and Caldwell—3.

So it was deemed expedient to suspend said Constitutional rules, and Senate bill No. 103 was read a first time by its title.

On motion by Mr. Bird,
Said bill was referred to the Committee on Corporations.

Message from the Senate, by Mr. Wilson, their Secretary.

Mr. Speaker:

I am directed by the President of the Senate to inform the House of Representatives that the Senate has passed the following:

House bill 59, entitled, "A bill to authorize Railroad Companies to occupy and use for railroad purposes the property of canal companies, with their consent, and to secure them in such occupation and use, and for the protection of the hydraulic powers of each canal, and to authorize the lessees of the water privileges, or companies for the maintenance thereof, in case of failure of said canal companies to maintain the same.

Mr. Henricks obtained leave, and presented the following communication:

Indianapolis, Indiana,
November 13th, 1865.

Holloway, Douglass & Co.,

Do hereby agree with J. H. Dooley, Doorkeeper of the House of Representatives of the State of Indiana, now in session, to furnish each member of said House three copies of the "Daily Journal"

during the session, two of said copies to be enveloped and stamped with two-cent postage stamps, the third copy loose, for the sum of eight and one-third cents per copy, for each paper so furnished.

The above is the same terms of papers for last session.

Mr. Lasselle moved that the Doorkeeper be instructed to make the contract of furnishing papers on terms as proposed by the Journal Company.

Mr. Griffith moved that the Doorkeeper be instructed to contract at seven cents per copy.

Mr. Coffroth moved the previous question, which was seconded by the House.

The question being, shall the main question be now put?

It was so ordered.

The question being on the motion made by Mr. Lasselle,

Messrs. Stringer and Olleman demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Bird, Burton, Church, Coffroth, Collins, Cowgill, Ferris, Glazebrook, Gregg, Harrison, Henricks, Humphreys, Kilgore, Lasselle, Lemon, Milroy, Newcomb, Pinney, Reese, Rhoads, Rice, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Stenger, Stuckey, Sullivan of P. and V—27.

Those who voted in the negative were,

Messrs. Abbett, Atkinson, Bonner, Boyd, Burns, Burwell, Caldwell, Cox, Croan, Crook, Davidson, Foulke, Gleason, Goodman, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Hargrove, Hershey, Higgins, Hogate, Hoover, Howard, Humphreys, Hunt, James, Lane, Lee, Lockhart, Lopp, Major, Meredith, McVey, O'Brien, Olleman, Patterson, Perigo, Prather, Richards, Richardson, Riford, Roach, Sabin, Stewart, Stivers, Stringer, Sullivan of Scott, Upson, Veach, Weikel, Welch, White Woodruff, Wright, Woods and Zeigler—59.

So the motion did not prevail.

Pending which,

On motion by Mr. Veach,

The House adjourned.

THURSDAY MORNING, 9 o'clock, }
November 16, 1865. }

The House met pursuant to adjournment.

The Speaker ordered a call of the House when the following named members answered to their names.

Messrs. Abbett, Atkinson, Bonner, Boyd, Brown, Burton, Burwell, Buskirk, Caldwell, Chambers, Coffroth, Cox, Croan, Crook, Davidson, Ferris, Foulke, Glazebrook, Gleason, Goodman, Gregory of Warren, Griffith, Groves, Hamrick, Hargrove, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, Humphreys, Hunt, James, Kilgore, Lane, Lee, Litson, Lockhart, Major, Meredith, Montgomery, McVey, Newcomb, O'Brien, Olleman, Osborn, Patterson, Perigo, Pinney Prather, Reese, Rhoads, Richards, Riford, Sabin, Shoaff of Jay, Sim, Shuey, Stewart, Stenger, Stivers, Stringer, Stuckey, Sullivan of Scott, Sullivan of P. & V., Trusler, Veach, Wickel, Welch, White, Woodruff, Wright, Woods, Zeigler, and Mr. Speaker—76.

The Clerk proceeded to read the journal, when,

On motion by Mr. Church,

The further reading thereof was dispensed with.

The journal, as reported, was then approved.

The Speaksr laid before the House a petition of John H. Maddox and 137 other citizens of Franklin county, on the subject of Temperance.

Which was referred to the Committee on Temperance.

PETITIONS, MEMORIALS AND REMONSTRANCES.

By Mr. Prather:

A memorial from the Commissioners of Hamilton county, on the subject of an act for the relief of soldiers, seamen, marines, &c.,

Which, on motion, was referred to the Committee of Ways and Means.

By Mr. Stivers:

On the same subject, from the Commissioners of Hamilton county,

Which was referred to the Committee of Ways and Means.

By Mr. Shuey:

A claim from C. Kindler, for $69 10,
Which, on motion, was referred to the Committee on Claims.

By Mr. Veach:

A claim from Speigle, Thoms & Co., for $13 75,
Which, on motion, was referred to the Committee on Claims.

By Mr. Meredith:

A claim from Speigle, Thoms & Co., for $12,
Which, on motion, was referred to the Committee on Claims.

By Mr. Montgomery:

A petition of W. E. Branson and others, from New London, Howard county, on the subject of Temparence,
Which, on motion, was referred to the Committee on Temperance.

By Mr. Newcomb:

A petition from the Synod of Northern Indiana Presbyterian Church, representing nearly six thousand persons, upon the subject of Temperance.
Referred to Committee on Temperance.

By Mr. Shuey:

A memorial from the Commissioners of Elkhart county, on the subject of the act for the relief of soldiers, seamen, mariners, &c.
Which, on motion, was referred to the Committee of Ways and Means.

By Mr. Zeigler:

A memorial on the same subject, from the Commissioners of Noble county.
Which, on motion, was referred to the Committee of Ways and Means.

By Mr. Sim:

A claim of John F. Kibby to services rendered the State in May and June, 1863, as attorney in the city of New York, in procuring the surrender and destruction of the fraudulent issue of State stocks —$450.

Which was referred to the Committee on Claims.

Mr. Rhoads, from the Committee on Enrolled Bills, made the following report:

Mr. Speaker:

I am directed by the Joint Committee on Enrolled Bills to report that they have examined Enrolled bill No. 59, and find the same correctly enrolled.

Mr. Newcomb, from the Committee on Stationery, made the following report:

Mr. Speaker:

The Select Committee, to whom was referred the subject of stationery for the members and officers of the House, have had the same under consideration, and direct me to report the following resolution, and recommend its adoption.

Resolved, That the Speaker and each member of the House is hereby authorized to procure from the State Librarian upon his own order, such stationery, including postage stamps, as he may desire for his own use during the session, not exceeding in value the sum of fifteen dollars; and each chairman of a committee is authorized to draw from the State Librarian such stationery as may be necessary for the use of such committee, not exceeding the value of twenty dollars; that each elected officer shall be entitled, in like manner, to draw ten dollars' worth of stationery for the session for his own use; that all such stationery remaining in the hands of the committees of the House at the close of the session, shall be returned to the Librarian, who shall give his receipt therefor. And the Librarian shall keep a strict account of all stationery by him furnished for such purposes, and to whom issued; and three days before the close of the session, he shall report to the House the amount purchased and the quantity issued under the provisions of this resolution, and to whom issued and its value.

Which, on motion, was concurred in.

The Speaker announced that he had signed Enrolled House bill No. 59.

Mr. Caldwell offered the following resolution:

Resolved, That the Doorkeeper be authorized to contract with the proprietors of the Daily Journal, the Daily Herald and Telegraph, newspapers of this city, for three copies each, for the use of members of the House of Representatives, at the regular supscription prices for those papers, and that the Doorkeeper be instructed to fold and stamp the same.

Mr. Chambers offered the following amendment:

Resolved, That the Doorkeeper be authorized to furnish eight dailies of this city, six to be wrapped and stamped.

Which was not agreed to.

Mr. Kilgore offered the following amendment:

Provided, That the publishers of such papers shall agree to publish the proceedings of each day on the succeeding day.

Mr. Shoaff, of Jay, moved to lay the resolution and amendment on the table.

Which was agreed to.

Mr. Higgins moved that House bill No. 165 be taken up and recommitted to the Committee on the Judiciary.

Mr. Henricks moved to amend, and include all bills reported back by different committees without final action, and that they be recommitted to said committees.

Which was accepted by Mr. Higgins.

The resolution was agreed to.

Mr. Lockhart, from Special Committee, made the following report:

MR. SPEAKER:

The Committee on Employees, to whom was referred a resolution asking for the appointment of a clerk to take charge of the folding room, for the purpose of receiving and distributing the mail, have had the same under consideration, and recommend the appointment by the Speaker of a suitable person for said position.

Which, on motion, was concurred in.

By Mr. Collins:

House bill No. 209. A bill to provide for the construction of sewers within corporated towns, defining the powers and duties of the Boards of Town Trustees in relation thereto, and to repeal all other laws in conflict therewith.

Which was read a first time and referred to the Committee on Corporations.

By Mr. James:

House bill No. 210. A bill to fix the time of holding the Court of Common Pleas in the county of Grant, and repealing all laws in conflict therewith.

Which was read a first time and passed to a second reading.

By Mr. Cowgill:

House bill No. 211. A bill to enable common carriers to dispose of unclaimed freight and baggage.

Which was read a first time and referred to the Committee on Railroads.

By Mr. McVey:

House bill No. 212. A bill to legalize the appraisement of real estate made under the provisions of the act entitled, "An act to provide for the appraisement of real estate, and prescribing the duties of officers in relation thereto," approved December 21, 1858, and the assessment and levy of taxes made, and hereafter to be made, on such appraisement.

Which was read a first time and referred to the Committee on Judiciary.

By Mr. Ferris.

House bill No. 213. A bill to repeal so much of section 1st of an act entitled "an act for the relief of the families of soldiers, seamen and marines, and sick and wounded Indiana soldiers in hospitals in the State and United States service, and of those who have died or been disabled in such service, and prescribing the duties of certain officers therein named," as provides for levying and collecting a tax

for such purpose, for the year eighteen hundred and sixty-six: and making provision for the application of any surplus which may remain of such tax, levied and collected for the year eighteen hundred and sixty-five, and making other provision for the relief of such persons as may be entitled to relief under said act for the year eighteen hundred and sixty-six, and declaring an emergency for the immediate taking effect of the same.

Which was read a first time, and referred to the Committee on Ways and Means.

By Mr. Miller.

House bill No. 214. A bill to repeal an act entitled "an act to enforce the 13th article of the Constitution, approved June 18, 1852.

Which was read a first time, and referred to the Committee on the Rights and Privileges of the Inhabitants of the State.

By Mr. Sabin.

House bill No. 215. A bill to amend sections two and forty-eight of an act regulating general elections, and prescribing the duties of officers in relation thereto.

Which was read a first time, and referred to the Committee on Elections.

By unanimous consent

Mr. Newcomb offered the following resolution:

Resolved, That the doorkeeper be authorized and directed to contract with the proprietors of the Indianapolis Daily Journal, and the Daily Herald, for three copies per day of each paper for each member and elected officer of the House, one copy of each to be unwrapped, and two copies wrapped and stamped ready for mailing. And that he, in like manner, contract with the publishers of the Daily Telegraph of said city, for two copies daily of said paper, both to be wrapped and stamped as aforesaid. All of which papers shall be laid upon the desks of the persons entitled thereto, on the morning of their publication; and the doorkeeper is authorized to agree, upon behalf of the House, to pay a price not exceeding seven cents per copy for such papers; and the House reserves to itself the right

to rescind said contract as to either of said papers that shall fail to publish satisfactory reports of the proceedings of the House.

Mr. Milroy moved to strike out the "Telegraph."

Mr. Chalmers moved to amend by adding in proper place, "and two copies of 'Daily Gazette.'"

Mr. Coffroth moved to lay the pending amendments on the table.
Which was agreed to.

Mr. Chambers moved to lay the resolution offered by Mr. Newcomb on the table.
Which was not agreed to.

Mr. Harrison moved to amend by inserting in proper place, "two copies of the "Weekly Volksblat.'"

Mr. Henricks moved the previous question,
Which was seconded by the House.

The question being, shall the main question be now put?

It was so ordered.

The question being on the amendment offered by Mr. Harrison,

Messrs. Burwell and Thatcher demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Abbett, Brown, Burton, Burwell, Coffroth, Collins, Glazebrook, Hargrove, Harrison, Henricks, Howard, Humphreys, Lasselle, Lee, Lemon, Litson, Lopp, Milroy, Montgomery, O'Brien, Osborn, Patterson, Perigo, Pinney, Rice, Richards, Richardson, Roach, Shoaff of Allen, Shoaff of Jay, Shuey, Stenger, Stuckey, Sullivan of Scott, Thatcher, Veach, Weikel and White—38.

Those who voted in the negative were,

Messrs. Atkinson, Bird, Bonner, Boyd, Burnes, Chambers, Caldwell, Church, Cowgill, Cox, Croan, Crook, Davidson, Ferris, Foulke Gleason, Goodman, Gregory of Warren, Gregory of Montgomery Groves, Hamrick, Hershey, Higgins, Hogate, Hoover, Hunt, James Lane, Lockhart, Major, Meredith, Miller, McVey, Newcomb, Olle

man, Prather, Reese, Rhoads, Riford, Sabin, Sim, Stuart, Stivers, Stringer, Sullivan of P. & V., Upson, Welch, Woodruff, Wright, Woods, Zeigler and Mr. Speaker—52.

So the amendment was not adopted.

The question being on the resolution as offered by Mr. Newcomb,

Messrs. Chambers and Stringer demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Bird, Boyd, Brown, Burnes, Burton, Buskirk, Caldwell, Church, Coffroth, Collins, Cowgill, Cox, Croan, Ferris, Foulke, Glazebrook, Gleason, Goodman, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Hargrove, Harrison, Henricks, Hershey, Hoover, Howard, Humphreys, Hunt, James, Kilgore, Lane, Lasselle, Lemon, Litson, Lopp, Major, Meredith, McVey, Newcomb, O'Brien, Olleman, Osborn, Patterson, Perigo, Pinney, Prather, Rhoads, Rice, Richards, Riford, Roach, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Stuart, Stenger, Stivers, Sullivan of P. & V., Thatcher, Upson, Veach, Weikel, Welch, White, Wright, Woods, Zeigler and Mr. Speaker—74.

Those who voted in the negative were,

Messrs. Burwell, Chambers, Crook, Davidson, Higgins, Hogate, Lee, Lockhart, Milroy, Montgomery, Reese, Richardson, Sabin, Stringer, Stuckey, Sullivan of Scott, and Woodruff—17.

So the resolution was adopted.

The Speaker announced the Standing Committees of the House of Representatives, as follows:

On Elections.—Messrs. Kilgore, Griffith, Lasselle, Prather, Shuey, Newcomb and Bird.

On Ways and Means.—Messrs. Branham, Miller of Tippecanoe, Higgins, Buskirk, Cox, Sullivan of Posey, and Dunham.

On the Judiciary.—Messrs. Newcomb, Kilgore, Coffroth, Rice, Cowgill, Brown and Trusler.

Courts of Justice.—Messrs. Miller, Gregory, Spencer, Johnson, Burwell, Church and Howard.

On Banks.—Messrs. Henricks, Cook, Bird, Miller of Tippecanee, Pinney, Ferris and Caldwell.

On Education.—Messrs. Gregory of Warren, Rhoads, Burton Chambers, Olleman, Stuckey and Glazebrook.

On State Prison (North).—Messrs. Griffith, Upson, Shoaff of Jay Higgins, Shoaff of Allen, Reese and Burwell.

On State Prison (South).—Messrs. Groves, Stenger, Collins, Crook Howard, Foolke and Goodman.

On Swamp Lands.—Messrs. Church, Glazebrook, Riford, Collins James, Crook and Gleason.

On Military Affairs.—Messrs. Trusler, Cox, Milroy, Sim, Harrison, Prather and Perigo.

On Claims.—Messrs. Boyd, Henricks, Abbett, Groves, Cowgill Lockhart and Veach.

On Trust Funds.—Messrs. Hamrick, Sabin, Harrison, Hershey Hargrove, Johnson and Lopp.

On Fees and Salaries.—Messrs. Major, James, Humphreys, Branham, Thatcher, Stivers, and Patterson.

On Sinking Fund.—Messrs. Bonner, Gregory of Montgomery, Hunt, Major, Lemon, Zeigler, and Sullivan of Scott.

On the Rights and Privileges of the Inhabitants of the State.—Messrs. Burns, Cook, Roach, Goodman, Richardson, Welch and Richards.

On Railroads.—Messrs. Lockhart, Gleason, Coffroth, Kilgore, Sim, Litson and Shoaff, of Jay.

On Manufactures and Commerce.—Messrs. Lane, Upson, O'Brien, Lockhart, Richards, Cook and Lee.

On Public Printing.—Messrs. Montgomery, Hamrick, Thatcher, Sabin, Osborn, Meredith and O'Brien.

On Roads.—Messrs. Stringer, Woodruff, Atkinson, Bonner, Stenger, Davidson and White.

On County and Township Business.—Messrs. Stivers, Atkinson, Weikel, Caldwell, Shoaff of Allen, Riford and Patterson.

On Agriculture.—Messrs. Hogate, Reese, Milroy, Wood, Spencer, Olleman and Bonner.

On Benevolent and Scientific Institutions.—Messrs. Meredith, Sullivan, of Scott, Lane, Stuckey, Cox and Wright.

On Temperance.—Messrs. Shuey, Zeigler, Abbett, Montgomery, Stringer, Chambers and Lopp.

On Mileage and Accounts.—Messrs. Woods, Goodman, Croan, Meredith, Gregg, McVey and Lee.

On Corporations.—Messrs. James, Hamrick, Church, Buskirk, Welch, Foulke and Roach.

On Canals.—Messrs. Rice, Hoover, Bird, Davidson, Hunt, Hershey and Perigo.

On Public Expenditures.—Messrs. Higgins, Boyd, Hargrove, Henicks, Veach, Branham and White.

On Federal Relations.—Messrs. Prather, Gregory of Warren, Dunham, Newcomb, Sullivan of Posey and Venderburg, Brown and Coffroth.

On the Affairs of the City of Indianapolis.—Messrs. McVey, Hogate, Lemon, Litson, Pinney, Newcomb and Croan.

On Engrossed Bills.—Messrs. Chambers, Stuart, Lasselle, Burns, Burton, Gleason and Wright.

The Speaker announced the Joint Committees on the part of the House of Representatives, as follows:

On Enrolled Bills.—Messrs. Rhoads, Humphreys and Montgomery.

On State Library.—Messrs. Stewart, Rhoads and Gregg.

On Canal Funds.—Messrs. Woodruff, Hoover and Osborn.

On Public Buildings.—Messrs. Ferris, Richardson, and Weikel.

On motion by Mr. Shuey,

The Journal of yesterday was so corrected as to refer that part of the Governor's message that relates to Juvenile offenders, to a Select Committee, instead of the Committee of Ways and Means.

HOUSE BILLS ON SECOND READING.

House bill No. 144. A bill to authorize, regulate and confirm the sale of railroads; to enable the purchasers of the same to form corporations and to exercise corporate powers, and to define their rights, powers and privileges; to enable such corporations to purchase and construct connecting and branch roads, and operate and maintain the same.

Was read the second time, and on motion of Mr. Meredith indefinitely postponed.

House Joint Resolution No. 15, was taken up and on motion laid on the table.

House bill No. 41. A bill to legalize sales by guardians under orders, defective, in not prescribing notice,

Was taken up as reported back from the Committee on the Judiciary, read a second time, ordered to be engrossed and passed to a third reading.

House bill No. 33. A bill to amend the eighth section of an act entitled an act to regulate and license the sale of spirituous, vinous, malt and other intoxicating liquors, to prohibit the adulteration of liquors, to repeal all former laws contravening the provisions of this act, and prescribing penalties for violation thereof, approved March 5th, 1859.

Was taken up with the recommendation heretofore reported from the Committee on Temperance.

On motion by Mr. Shuey, said bill was recommitted to same committee.

HOUSE BILLS ON THIRD READING.

House bill No. 21. A bill to amend the twenty-second section of an act entitled "an act defining misdemeanors and prescribing punishment therefor," approved June 14, 1852, was then taken up with

he following report of the Committee on the Judiciary heretofore nade :

MR. SPEAKER :

The Judiciary Committee to whom was referred House bill No. 21, entitled "a bill to amend the twenty-second section of an act defining misdemeanors and prescribing punishment therefor," pproved June 14, 1852, respectfully report back said bill to the House and recommend that the amendment shall read as follows, o-wit :

"Every person who shall be guilty of notorious lewdness, or who hall in any public place make any uncovered and indecent exposure of his or their person, upon conviction thereof shall be fined in any um not less than ten nor more than one hundred dollars, to which nay be added imprisonment for any time not exceeding three nonths."

And upon the adoption of said amendment, the committee recommend the passage of the bill.

Which amendment was agreed to, and the bill read a third time nd the question being shall the bill pass.

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Burnes, Burton, Burwell, Buskirk, Chambers, Caldwell, Coffroth, Collins, Cogwill, Cox Croan, Crook, Davidson, Ferris, Foulke, Glazebrook, Gleason Goodman, Gregory, of Montgomery, Gregory, of Warren, Griffith, Groves, Hargrove, Harrison Henricks, Hershey, Higgins, Hogate, Hoover, Howard, Hunt, James, Kilgore, Lane, Lasselle, Lee, Lemon, Litson, Lockhart, Lopp, Major, Miller, Milroy, Montgomery, McVey, Newcomb, Olleman, Osborn, Perigo, Pinney, Prather Reese, Rhoads, Richards, Richardson, Riford, Roach, Sabin, Shoaff, of Allen, Shoaff of Jay, Shuey, Sim, Stuart, Stenger, Stringer, Stuckey, Sullivan, of Scott, Sullivan, of P. & V., Thatcher, Trusler, Upson, Veach, Welch, White, Woodruff, Wright, Woods, Zeigler and Mr. Speaker—82.

Mr. Bird voting in the negative.

So the bill passed.

The question being shall the title as reported stand as the title to the same?

It was so ordered.

Ordered, That the Clerk inform the Senate of the passage of said bill.

Joint Resolution No. 1. A Joint Resolution, proposing an amendment to the Constitution by striking out the 13th article thereof,

Was read a third time.

Mr. Buskirk moved to postpone said joint resolution until Tuesday next, at 2 o'clock, P. M., and made a special order for that hour.

Mr. Buskirk moved to amend, and have said Joint Resolution No. 1 printed.

Which was not agreed to.

The question on the original motion was then agreed to.

House Joint Resolution No. 2 was taken up, and,

On motion by Mr. Henricks,

Indefinitely postponed.

House bill No. 18. A bill to provide for publication of notice to or service of summons on non-residents, on complaint for new trial,

Was taken up with the following amendments, heretofore reported from the Committee on the Judiciary:

MR. SPEAKER:

The Judiciary Committee, to whom was referred House bill No. 18, entitled "a bill to provide for publication of notice to, or service of summons on non-residents, on complaint for new trial," respectfully report back said bill to the House and recommend its passage.

Which was read a third time.

Mr. Buskirk moved to reconsider the vote whereby said bill was ordered to a third reading.

Which was agreed to.

On motion by Mr. Buskirk,

The bill and amendment were referred to the Committee on the Judiciary.

House bill No. 22. A bill to legalize the sale of certain school lands in Lake county,

Was read a third time, and,

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Bird, Bonner, Boyd, Burnes, Burton, Buskirk, Caldwell, Chambers, Church, Coffroth, Collins, Cowgill, Cox, Croan, Crook, Davidson, Ferris, Foulke, Glazebrook, Gleason, Goodman Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, Humphreys, Hunt, James, Kilgore, Lane, Lasselle, Lee, Lemon, Litson, Lockhart, Lopp, Major, Meredith, Miller, Milroy, Montgomery, McVey, Newcomb, O'Brien, Olleman, Osborn, Perigo, Pinney, Prather, Reese, Rhoads, Rice, Richardson, Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Sim, Stuart, Stenger, Stringer, Stuckey, Sullivan of Scott, Sullivan of Posey and Vanderburg, Thatcher, Trusler, Upson, Veach, Weikel, Welch, White, Woodruff, Wright, Woods, Zeigler and Mr. Speaker—87.

None voting in the negative.

So the bill passed.

The question being, shall the title, as reported, stand as the title to said bill.

It was so ordered.

Ordered, That the Clerk inform the Senate of the passage of said bill.

House bill No. 23. A bill to provide by law for draining and ditching low, wet and overflowed land in the State of Indiana,

Was taken up with the following amendments, heretofore recommended by Committee on Swamp Lands:

MR. SPEAKER:

The Committee on Swamp Lands, to whom was referred House bill No. 23, entitled "an act to provide by law for draining and ditching low, wet and overflowed lands in the State of Indiana," have had the same under consideration, and direct me to report the following amendments thereto, and when so amended recommend its passage:

Amend section one by striking out "three," in the third line, and inserting "one."

Amend section second, in second line, by adding the following after the word "shall:" "Publish three consecutive weeks in a newspaper of general circulation, printed in said county, if there be one, and."

Amend by striking out section five, and adding to section four the words, "and file the same with the Auditor of said county.

Amend section six by adding after the word "shall," in the third line, "if after considering objections thereto, presented to them by remonstrance or otherwise, they find the work to be of public utility."

Amend section six, after the word "work," in seventh line, by saying, "and payment of such damages as may be assessed, if any."

Mr. Coffroth moved that bill and amendment be laid on the table and one hundred copies be printed for the use of the House.

Which was agreed to.

On motion by Mr. James,

The House adjourned.

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2 O'CLOCK, P. M.

The House met.

The Speaker announced the following committee on that portion the Governor's Message that refers to an asylum for Juvenile Offenders:

Messrs. Shuey, Henricks, Abbett, Cowgill, Veach, Rice and Burton.

HOUSE BILLS ON SECOND READING.

House bill No. 25. A bill to repeal an act entitled "an act to prohibit the evidence of Indians and persons having one-eighth or more of negro blood, in all cases where white persons are parties in interest," approved February 14, 1853.

Was taken up.

Mr. Newcomb moved to refer the same to the Committee on the Judiciary.

Mr. Burwell moved to refer to the Committee on the Organization of Courts of Justice.

The question on referring to the Judiciary Committee having precedence.

It was so referred.

House bill No. 114. A bill to amend section one of an act entitled "an act relative to the salaries of public officers and providing the manner of paying the same, and the manner of reimbursing the State for an increase of salaries," approved March, 5, 1859.

Was taken up and,

On motion by Mr. Rhoads,

Was referred to the Committee on Fees and Salaries.

House bill No. 139. A bill to amend sections 3, 4, 5, 7 and 11, of an act entitled "an act to regulate the sale and license the sale of spirituous, vinous, malt and other intoxicating liquors, to prevent the adulteration of liquor, to repeal all former laws contravening the provisions of this act and prescribing penalties for the violation thereof," approved March 5, 1859, and prohibiting the owners and keepers of saloons, coffee houses, &c., from evading, or keeping any screens or blinds, and prescribing penalties therefor, and prescribing penalties in case of second or subsequent conviction.

Was taken up and,

On motion by Mr. Shuey,

Was refered to the Committee on Temperance without reading.

House bill No. 167. A bill putting a limit on pay for service in obtaining substitutes and volunteers for the military or naval service of the United States in this State and for taking the same without the limit of this State, and providing penalties for the violation thereof and the recovery of such penalties and fixing the limitation of such actions and imposing certain duties on the County Auditor,

Was taken up and,

On motion by Mr. Newcomb,

Postponed until the 20th day of December, 1865.

House bill No. 195. A bill to amend an act entitled "an act to provide a Treasury system for the State of Indiana, for the manner of receiving, holding and disbursing the public monies of the State, and for the safe keeping of the public monies," approved March 1, 1859, and declaring an emergency.

MR. SPEAKER:

The Committee on Ways and Means, to whom was referred House bill No. 195, have had the same under consideration, and direct me to report the following amendment:—Insert after the title of the bill, "Be it enacted by the General Assembly of the State of Indiana, that the second section of an act entitled 'an act to provide a treasury system for the State of Indiana, for the manner of holding, receiving, and disbursing the public monies of the State, and for the safe keeping of the public monies, approved March 1, 1859,' and when so amended, to recommend its passage."

Was taken up, with the amendments heretofore reported by the Committee on Ways and Means.

On motion by Mr. Hamrick,

The bill and amendments were recommitted to the Committee on Ways and Means.

House bill No. 197. A bill to provide for the purchase of the stereotype plates and copyright of Gavin and Hord's Statutes of Indiana, and the publishing of the laws of the present session with said statutes, and a sufficient number of said statutes to supply the demand therefor and sale thereof, and providing for the payment thereof.

Was read a third time, and,

On motion by Mr. Higgins,

Postponed till the 21st day of December, 1865.

ENGROSSED HOUSE BILLS ON THIRD READING.

House bill No. 82. A bill concerning the creation of Corporations for the purpose of maintaining High Schools within the State, and giving the requisite powers to such Corporations.

Was taken up, and,

On motion of Mr. Meredith,

Was recommitted to the Committee on Education.

House bill No. 86. A bill for the purpose of draining and improving the swamp lands bordering on and lying contiguous to the Little Calumet and Grand Calumet Rivers, in Lake County, Indiana, and to more fully carry out the intentions of Congress in donating the swamp lands to the State, and in accordance with the authority for the draining and reclaiming of such lands, granted to the State by Congress; and for the purpose of enabling private enterprise to accomplish what should and ought to have been done by the aid of the Swamp Land Fund of Lake County, which fund has been recklessly wasted.

Was taken up.

Mr. Lasselle moved to refer said bill to the Committee on the Judiciary.

Mr. Buskirk moved to instruct the Committee that if the bill was found to be imperfect, to report one on that subject.

Which was accepted by Mr. Lasselle.

The bill was then referred to said Committee.

Mr. Burnes, from the Committee on Engrossed Bills, made the following report:

Mr. Speaker:

The Committee on Engrossed Bills, to whom was referred House bills Nos. 81, 117, 121, 123, 135, 138, 141 and 148, have compared the same with the originals on file, and find that said bills are all correctly engrossed.

Mr. Milroy asked and obtained leave of absence until next Tuesday, on account of sickness.

House bill No. 88. A bill to authorize High Schools, Academies, Colleges, Universities, Theological Institutions and Missionary Boards, formed under the general laws of this State to change their corporate name.

Was read a third time, and,

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Bird, Bonner, Boyd, Burnes, Burton,

Burwell, Buskirk, Caldwell, Chambers, Church, Collins, Cowgill, Cox, Croan, Crook, Davidson, Ferris, Foulke, Gleason, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, Humphreys, Hunt, James, Kilgore, Lasselle, Lee, Litson, Lockhart, Lopp, Major, Meredith, Montgomery, McVey, Newcomb, O'Brien, Olleman, Osborn, Perigo, Pinney, Prather, Reece, Rhoads, Rice, Richards, Richardson, Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Stuart, Stivers, Stringer, Stuckey, Sullivan of Scott, Sullivan of P. & V., Trusler, Upson, Veach, Weikel, Welch, White, Woodruff, Wright, Woods, Zeigler and Mr. Speaker—81.

Those who voted in the negative were,

Messrs. Glazebrook and Lemon—2.

So the bill passed.

The question being, shall the title, as reported, stand as the title of the bill?

It was so ordered.

Ordered, That the Clerk inform the Senate of the passage of the bill.

House bill No. 106. A bill authorizing the construction of warehouses for the inspection, storage and sale of tobacco,

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Bird, Boyd, Branham, Burnes, Burton' Burwell, Caldwell, Church, Cowgill, Cox, Croan, Crook, Davidson, Ferris, Foulke, Gleason, Gregory of Montgomery, Griffith, Groves, Hamrick, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, Humphreys, Hunt, James, Kilgore, Lasselle, Lemon, Litson, Lockhart, Lopp, Meredith, Miller, Major, Montgomery, McVey, Newcomb, O'Brien, Olleman, Osborn, Perigo, Pinney, Prather, Reese, Rice, Richards, Richardson, Rhoads, Sabin, Shoaff, of Jay, Shuey, Sim, Stuart, Stenger, Stivers, Stringer, Stuckey, Sullivan, of Scott, Sullivan, of Posey and Vanderburg, Thatcher, Trus-

ler, Veach, Weikel, Welch, White, Woodruff, Wright, Woods, Zeigler, and Mr. Speaker—79.

Those who voted in the negative were,

Messrs. Chambers and Collins—2.

So the bill passed.

The question being, shall the title, as reported, stand as the title to said bill.

It was so ordered.

Ordered, That the Clerk inform the Senate of the passage of said bill.

House bill No. 147. A bill to amend section six of an act entitled "an act regarding estrays and articles adrift," approved June 16th, 1852,

Was read a third time, and,

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Bird, Bonner, Branham, Brown, Burnes, Burton, Burwell, Buskirk, Caldwell, Chambers, Coffroth, Cowgill, Cox, Croan, Davidson, Ferris, Foulke, Gleason, Goodman, Gregory of Montgomery, Gregory of Warren, Hamrick, Harrison, Henricks, Higgins, Humphreys, Hunt, Kilgore, Lane, Lasselle, Montgomery, McVey, Newcomb, O'Brien, Osborn, Pinney, Rhoads, Rice, Shoaff, of Allen, Shoaff, of Jay, Sim, Stuart, Stringer, Sullivan, of Posey and Vanderburg, Thatcher, Trusler, Upson, Veach, Welch, and Mr. Speaker—52.

Those who voted in the negative were,

Messrs. Boyd, Collins, Crook, Griffith, Groves, Hargrove, Hershey, Hogate, Hoover, Howard, James, Lee, Lemon, Litson, Lockhart, Lopp, Major, Olleman, Perigo, Prather, Reese, Richards, Richardson, Sabin, Shuey, Stenger, Stuckey, Sullivan, of Scott, Wickel, White, Woodruff, Wright and Zeigler—26.

So the bill passed.

The question being, shall the title, as reported, stand as the title to said bill.

It was so ordered.

Ordered, That the Clerk inform the Senate of the passage of said bill.

House bill No. 126. A bill to amend section five of an act entitled "an act to authorize the construction of levees and drains," approved June 12th, 1852,

Was read a third time, and,

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Bird, Bonner, Boyd, Branham, Burnes, Burton, Caldwell, Chambers, Church, Coffroth, Cowgill, Cox, Croan, Crook, Ferris, Foulke, Gleason, Goodman, Gregory of Montgomery, Griffith, Groves, Hamrick, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, Humphreys, Hunt, James, Kilgore, Lane, Lasselle, Lee, Lemon, Litson, Lockhart, Lopp, Major, Montgomery, McVey, Newcomb, O'Brien, Olleman, Osborn, Perigo, Pinney, Prather, Rhoads, Rice, Richardson, Roach, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Stuart, Stenger, Stringer, Stuckey, Sullivan of Posey and Vanderburg, Thatcher, Trusler, Upson, Veach, Weikel, Welch, White, Woodruff, Wright, Woods, Zeigler and Mr. Speaker—78.

Mr. Hargrove voted in the negative.

So the bill passed.

The question being, shall the title, as reported, stand as the title to said bill.

It was so ordered.

Ordered, That the Clerk inform the Senate of the passage of said bill.

House bill No. 149. A bill to enable the Board of Directors of any incorporated Turnpike Company to change the time of holding the election of Directors,

Was taken up and read a third time, and,

On motion of Mr. Newcomb,

The bill was re-committed to the Committee on Corporations.

Message from the Senate, by Mr. Wilson, their Secretary.

MR. SPEAKER:

I am directed by the Senate to return to the House enrolled act, No. 59, thereof, which has been signed by the President, *pro tem*, of the Senate.

Mr. Rhoads, from the Joint Committee on Enrolled Bills, presented the following report:

MR. SPEAKER:

The Joint Committee on Enrolled Bills respectfully report that on Thursday, November 16th, 1865, at 4 o'clock, P. M., they presented to His Excellency, the Governor of the State, Enrolled Act of the House of Representatives, No. 59, for his approval and signature.

House bill No. 124. A bill to amend section 30 of an act "regulating the fees of officers, and repealing former acts in relation thereto," approved March 2d, 1855,

Was read a third time.

The question being, shall the bill pass?

Mr. Miller moved to refer said bill to the Committee on Fees and Salaries.

Which was not agreed to.

Mr. Groves moved to indefinitely postpone the bill.

Which was not agreed to.

The question recurring, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Abbett, Bonner, Boyd, Branham, Burnes, Buskirk, Caldwell, Coffroth, Crook, Ferris, Gregory of Warren, Griffith, Hamrick, Harrison, Hershey, Hogate, Hoover, Howard, Humphreys, Kilgore, Lane, Lasselle, Litson, Lockhart, Major, Milroy, Montgomery, McVey, Olleman, Pinney, Rhoads, Roach, Shuey, Sim, Stuart, Stenger, Stivers, Stringer, Sullivan of Scott, Trusler, Upson, Veach, White, Zeigler and Mr. Speaker—44.

Those who voted in the negative were,

Messrs. Atkinson, Bird, Brown, Burton, Burwell, Chambers, Church, Collins, Cowgill, Cox, Croan, Davidson, Foulke, Glazebrook, Gleason, Goodman, Gregory of Montgomery, Groves, Hargrove, Henricks, Higgins, Hunt, James, Lee, Lemon, Lopp, Miller, Newcomb, Osborn, Perigo, Prather, Reese, Rice, Richards, Richardson, Sabin, Shoaff of Allen, Shoaff of Jay, Stuckey, Sullivan of P. and V., Weikel, Welch, Woodruff, Wright and Woods—45.

So the bill was lost.

House bill No. 186. A bill declaring the laws now in force sufficient to authorize the semi-annual interest on the State debt, authorizing the payment of the same, as it may become due, declaring specific appropriations therefor unnecessary and providing for punishment for violation of this act.

Was taken up and,

On motion by Mr. Newcomb,

Made the special order of the day for to-morrow at ten o'clock.

Mr. Pettit, by unanimous consent, asked leave to take up House bill No. 156.

Said bill was taken up.

Mr. Henricks moved to reconsider the vote whereby said bill was ordered to be engrossed.

Which was agreed to.

On motion by Mr. Newcomb,

Said bill was made the special order of the day for Wednesday next at 2 o'clock P. M.

Mr. Brown moved that said bill be referred to a Select Committee of five, and said committee report the bill, with amendments, back with 200 copies printed for use of the House.

Which was agreed to.

Mr. Newcomb moved to reconsider the vote whereby House bill No. 124 was lost.

Agreed to.

Unanimous consent was given, and Mr. Newcomb moved to amend House bill No. 124, as follows: Insert after the word "Clerk," in line 29, "and may, in their discretion, furnish the same to the."

Which motion prevailed.

The question then being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Bird, Bonner, Boyd, Branham, Brown, Burnes, Burton, Burwell, Buskirk, Caldwell, Church, Cowgill, Cox, Croan, Crook, Davidson, Ferris, Foulke, Gleason, Gregory of Warren, Griffith, Groves, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, Humphreys, Hunt, James, Kilgore, Lane, Lasselle, Lee, Lemon, Litson, Lockhart, Lopp, Major, Miller, Montgomery, McVey, Newcomb, O'Brien, Olleman, Osborn, Perigo, Pinney, Prather, Reese, Rhoads, Richards, Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Stuart, Stenger, Stivers, Stringer, Sullivan of Scott, Sullivan of P. & V., Upson, Veach, Welch, Woodruff, Wright, Woods, Zeigler and Mr. Speaker—76.

Those who voted in the negative were,

Messrs. Chambers, Glazebrook, Goodman, Hargrove, Richardson, Stuckey and Weikel—7.

So the bill passed.

The question being, shall the title, as reported, stand as the title to said bill?

It was so ordered.

Ordered, That the Clerk inform the Senate of the passage of said bill.

On motion by Mr. Humphreys,
The House adjourned.

FRIDAY MORNING, 9 o'clock.
November 17, 1865.

The House met pursuant to adjournment.

The Clerk proceeded to read the Journal, when,

On motion by Mr. Hoover, the further reading thereof was dispensed with.

PETITIONS, MEMORIALS AND REMONSTRANCES.

By Mr. Wright.

A claim from Werden & Co. for $40.10.
Which was referred to the Committee on Claims.

By Mr. Coffroth.

A memorial from the Commissioners of Whitley County, asking for a modification of the law "for the relief of soldiers, seamen and marines, &c., approved March 4, 1865."
Which was referred to the Committee on Ways and Means.

By Mr. Abbett.

A claim from Jones, Hess & Davis, for $15.50.

Also a claim from the doorkeeper for 30 bushels Pittsburg coal at 40 cts. per bushel, $20.00.
Which were referred to the Committee on Claims.

By Mr. Collins.

A memorial from the County Commissioners of Adams County, on the subject of relief of Soldiers' Families.
Which was referred to the Committee on Ways and Means.

By Mr. Buskirk,

A memorial from the Commissioners of Monroe County, asking for a modification of the law "for the relief of the families of soldiers seamen, marines, &c., approved March 4, 1865."
Which was referred to the Committee on Ways and Means.

REPORTS OF COMMITTEES.

Mr. Lockhart, from the Select Committee on employees of the House, made the following report:

MR. SPEAKER:

The Committee on Employees, to whom was referred a resolution

authorizing the Clerk to furnish the reporters of the Journal, Herald and Telegraph, with stationery, upon which to make their reports, have had the same under consideration, and have instructed me to report the same back, and recommend its adoption.

Which was concurred in, and the resolution adopted.

Mr. Miller, from the Committee on Ways and Means, made the following report:

Mr. Speaker:

I am directed by the Committee on Ways and Means, to whom was referred that portion of the Governor's Message which refers to the Public Debt, to report the same back to the House, and recommend the adoption of the following Concurrent Resolution:

Resolved, By the House of Representatives, the Senate concurring, That that portion of the Governor's Message which refers to the Public Debt, be referred to a Joint Committee of both Houses, to consist of the Committee on Ways and Means, on the part of the House, to which four members shall be added, and the Committee on Finance on the part of the Senate, to which two members shall be added, and that said Committee shall have power to send for persons and papers.

Which was concurred in.

Mr. Higgins, from a Special Committee heretofore appointed, made the following report:

Mr. Speaker:

The Select Committee appointed to revise the rules of the House, and joint rules, have had the same under consideration, and have directed me to recommend the adoption of the rules and joint rules of the General Assembly at its last session, with three amendments; and when so amended, that two hundred copies thereof, with the Constitution of the State, be printed for the use of the House.

Amend Rule 54 by striking out 12 and inserting 11.

Amend Rule 55 by inserting after the words "appropriation bills," in the proviso, "and bills adjusting the public debt."

Amend Rule 59 by striking out words "Nor shall it be recommitted without special instruction," and inserting "but may be recommitted with special instruction by a two thirds rule."

Which was concurred in, and the recommendations of the Committee agreed to

Mr. Henrick offered the following concurrent resolutions:

Resolved, by the House of Representatives of Indiana, (the Senate concurring therein,) That the Constitution of the United States ought to be so amended as to cause the representation in Congress to be apportioned among the several States according to the number of male inhabitants over the age of twenty-one years, who are by the Constitution and laws of said States respectively, entitled to vote at general elections in such States.

Resolved, That our Senators in Congress be instructed, and our Representatives requested to use their influence to procure the passage of such an amendment to the Constitution of the United States, as is indicated in the foregoing resolution, to be proposed to the several States for ratification.

Which was referred to the Committee on Federal Relations, under House resolution, page 247.

BILLS AND JOINT RESOLUTIONS.

By Mr. Griffith:

Joint resolution No. 17. A joint resolution amendatory of section nine, (9) article four, (4) of the Constitution of the State of Indiana, so as to provide for annual sessions of the General Assembly.

Which was read a first time and passed to a second reading.

By Mr. McVey:

House bill No. 216. A bill to amend the fifth section of "an act touching the marriage relation and liabilities incident thereto," approved May 31, 1852, empowering any married woman whose husband is of unsound mind to lease, bargain, sell, incumber and convey her real estate as if unmarried without the consent or joining of her husband, repealing all laws inconsistent therewith, and declaring an emergency.

Which was read a first time and, on motion, referred to the Committee on the Judiciary.

Mr. Kilgore offered the following resolution:

Resolved, That the Committee on the Rights and Privileges of the State be and is hereby instructed to inquire into the expediency of making all colored citizens of the United States competent witnesses in all actions, both civil and criminal in any of the Courts of this State and securing to them the fullest extent of all the rights now given to other citizens of the United States in our Courts.

Which was agreed to.

Mr. Chambers offered the following resolution:

Resolved, by the House of Representatives, (the Senate concurring) that our Senators in Congress be instructed, and our Representatives requested to propose such an amendment to the Constitution of the United States, that the rights of suffrage shall be uniform throughout the United States and that the power to regulate the same shall be invested in Congress and not in the States.

Which was referred to the Committee on Federal Relations.

By Mr. Cox:

House bill No. 217. A bill compelling Railroad Companies to transport all freights of whatever nature which may accumulate along the line of their respective roads, declaring that one class of freight shall not have precedence over any other class, prescribing penalty and declaring an emergency.

Which was read a first time and, on motion, referred to the Committee on Railroads.

Mr. Prather offered the following resolution:

Resolved, That the State Librarian be instructed to lay upon the tables of each member of this House, elected since the last session hereof, a copy of the Revised Statues of Indiana, by Gavin & Hord; and also, the Journals of the last session, for which they shall not account.

On motion by Mr. Brown,

The resolution was laid on the table.

Mr. Higgins offered the following resolution:

Resolved, That the Committee on Fees and Salaries be instructed to inquire into the expediency of providing by law for compensating Constables and Justices of the Peace for services rendered in criminal cases and to report by bill or otherwise.

Which was agreed to.

By Mr. Shuey:

House bill No. 518. A bill to amend sections 3 and 4 of an act entitled "an act to regulate and license the sale of spirituous, vinous, malt and other intoxicating liquors, to prohibit the adulteration of liquors, to repeal all former laws, contravening the provisions of this act, and prescribing penalties for the violation thereof," approved March 5, 1859, and prescribing penalties in case of second or subsequent conviction.

Mr. Brown moved the following instructions:

To strike out the word "white."

Mr. Chambers offered the following as instructions:

Amend by striking out, wherever they occur, the words "good moral character."

Said bill was read a first time and, with proposed amendments, referred to the Committee on Temperance.

SPECIAL ORDERS FOR THE DAY.

The hour having arrived for the special order for the day,

House bill No. 186. A bill declaring the laws now in force sufficient to authorize the semi-annual interest on the State debt, authorizing the payment of the same as it may become due, declaring specific appropriations therefor unnecessary, and providing for punishment for violations of this act.

Was taken up and read a third time.

Mr. Buskirk, by unanimous consent, moved to recommit said bill with the following amendment:

Strike out all that part of the bill that refers to the power to pay the interest without specific appropriations.

Mr. Groves moved to lay the motion and amendment on the table.

Messrs. Buskirk and Groves demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Atkinson, Bonner, Boyd, Branham, Burns, Caldwell, Chambers, Church, Cox, Crook, Davidson, Ferris, Glazebrook, Gleason, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Henricks, Hershey, Higgins, Hogate, Hoover, James, Johnson, Kilgore, Litson, Lockhart, Major, Miller, Montgomery, McVey, Newcomb, Olleman, Prather, Reese, Rhoads, Rice, Riford, Sabin, Shuey, Spencer, Stenger, Stivers, Sullivan of Scott, Sullivan of P. & V., Upson, Welch, Woodruff, Wright, Woods, Zeigler and Mr. Speaker—55.

Those who voted in the negative were,

Messrs. Abbett, Bird, Brown, Burton, Burwell, Buskirk, Coffroth, Collins, Cowgill, Croan, Foulke, Hargrove, Harrison, Howard, Humphreys, Hunt, Lane, Lee, Lemon, O'Brien, Osborn, Patterson, Perigo, Pinney, Richardson, Richards, Roach, Shoaff of Jay, Stuart, Stuckey, Thatcher, Veach, Weikel and White—35.

So the motion to lay on the table prevailed.

The question being on the passage of said bill:

Mr. Gregory, of Warren, moved the previous question.
Which was seconded by the House.

The question being, shall the main question be now put?

It was so ordered.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Atkinson, Bonner, Boyd, Branham, Burnes, Caldwell, Chambers, Church, Cowgill, Cox, Crook, Davidson, Ferris, Foulke, Gleason, Goodman, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Henricks, Hershey, Higgins, Hogate, Hoover, James, Kilgore, Lane, Litson, Lockhart, Major, Miller,

Montgomery, McVey, Newcomb, Olleman, Prather, Reese, Rhoads, Rice, Riford, Sabin, Shuey, Sim, Stuart, Stivers, Stringer, Sullivan of P. & V., Upson, Welch, Woodruff, Wright, Woods, Zeigler and Mr. Speaker—56.

Those who voted in the negative were,

Messrs. Abbett, Bird, Brown, Burton, Burwell, Buskirk, Coffroth, Collins, Croan, Glazebrook, Hargrove, Harrison, Howard, Humphreys, Hunt, Lasselle, Lee, Lemon, O'Brien, Osborn, Patterson, Perigo, Pinney, Richards, Richardson, Roach, Shoaff of Allen, Shoaff of Jay, Stenger, Stuckey, Sullivan of Scott, Thatcher, Veach, Weikel and White—35.

So the bill passed.

The question being, shall the title, as reported, stand as the title to said bill?

It was so ordered.

Ordered, That the Clerk inform the Senate of the passage of said bill.

The Speaker laid before the House the following Memorial of the Officers and Directors of Indiana Soldiers' Home Association.

To the General Assembly of the State of Indiana:

GENTLEMEN:—The undersigned Officers and Directors of the Indiana Soldiers' and Seamen's Home Association, most respectfully present a summary of the condition and plans of our organization, in the hope that your careful consideration of the whole matter may lead to such legislation as shall conduce to the best interests of our disabled soldiers and the soldiers' orphans of our State.

As you will observe, the Governor, who is *ex officio* President of this association, has given you, in his message, so full a history of our organization and operations, that we deem it unnecessary to do more than present a few items not fully elaborated in that document.

The Governor informs you that, up to the date of his writing, forty-six disabled soldiers have been admitted into the Home, twenty-one of whom were enabled, after careful treatment, to go out again and care for themselves.

We deem it proper to say to you that, owing to the limited funds in our hands and at our command, we have been compelled to *limit* our benefactions to the most helpless and most destitute cases that were presented, while all applications in behalf of orphans were suspended until additional funds can be secured. For the same reason soldiers were not retained in the Home longer than was absolutely necessary for medical or surgical treatment. Had we been able to afford suitable accommodations, we are quite certain that the number of occupants of the Home, during the time named, would have been doubled, if not *quadrupled*.

We have not dared to throw open our doors and extend a general invitation to all disabled soldiers, who need help, to come in because we had neither the means to support, nor accommodations to render comfortable those who would come. Hence we have quietly done what we could for the worst cases coming under the observation of our agents, while the greater portion of our disabled soldiers are not aware that we are receiving any into our temporary institution. Indeed many persons in our State, not being so situated as to *see* the necessity of our enterprize, and being ignorant of what we are accomplishing, are even now opposing our efforts with the assertion that, "if we were to build a splendid Soldiers' Home, no soldier would come into it!" The best answer that can be made to this assertion, will be found in the extract from the Report of the Superintendent of the temporary Home, given below. That there are disabled soldiers who will never live in the Home, is doubtless true, for they have friends who can take care of them elsewhere; but wealth is not the heritage of the masses, who gave to the nation her soldiers. The only resources of most of our soldiers were their *physical powers*, and these being now destroyed or impaired, they have a right to expect from those for whose security they gave *their all*, some just recognition of their sacrifices.

Many of our disabled soldiers have families, and the father was their only dependence. That we owe them a snpport is beyond all doubt. *He* would have supported them had he not been disabled, and now that he *is* disabled in *our* behalf *we* must do it. The same argument applies with still weightier import to the orphans of the fallen.

The plan that we propose is this: We would procure a tract of good land, sufficient to yield all necessary vegetables for the Home. Upon this ground we would provide suitable habitations, both for single men, families, and orphans. Having convened these all in

one community, we would afford them all possible facilities for contributing to their own support. This would be done chiefly by erecting workshops, where such trades could be carried on as disabled men could work at—such as making brooms, baskets, brushes, shoes, &c. Here the remaining faculties of partially disabled men could be educated to good trades, whereby they might support themselves independently, outside of the Home, in a few years, if they should desire it.

By bringing these families into one community, we will have facilities for educating their children in a superior manner, being able to instruct them both in the ordinary branches of education, and also in a suitable *trade*, thus fully qualifying them for usefulness in after life; they, meanwhile, contributing, by their labor, to their own support. The same advantages would accrue to the orphans, who, in addition to the education and trade there acquired, would be placed under the charge of suitable persons, who would, so far as possible, maintain the family relation, and perform a parent's duties in their behalf.

It is furthermore our desire to establish, at the earliest practicable moment, a special school for young men, wherein will be taught book keeping, penmanship, telegraphing, and other branches of a practical business education. In this school, men who have lost an arm, or a limb, may yet be so instructed, that they can go forth, in a year or two, and live independently by their acquirements, being qualified, both for civil pursuits and for such official positions as a grateful and patriotic people would be disposed to confer upon them. As evidence of the necessity for such a school, we would say that numerous applications, by disabled soldiers, have already been made to us, for such advantages as such schools afford, and, although unprepared to accommodate all, yet some young men now at the temporary Home, are attending the Mercantile, and other schools of Indianapolis, and are making great proficiency in their studies.

We have not yet obtained sufficient data whereby to estimate the number of disabled soldiers, and orphans of soldiers, in the State, who will need the benefits of this Home. We are confident, however, that the number of soldiers can not fall under five hundred, and the number of orphans one thousand. Some four weeks ago, we made application to the county Auditors of the State for information on this point, but thus far we have but partial returns from nineteen counties, showing an aggregate of 173 totally disabled, and 565 partially disabled soldiers; and 427 whole orphans, and 1,633 orphans

in part—their fathers being dead. This number of disabled soldiers does not include those whose constitutions have been broken down in the service, which would largely increase the aggregate.

Taking these nineteen counties for the basis of a *proportionate* estimate for the whole State—which, however, is too *small* a basis for an *average* estimate, as none of those counties contain cities of more than four thousand inhabitants—and we have 828 totally disabled, and 2,760 partially disabled soldiers, and 9,036 soldiers' orphans in this State, besides a vast number of soldiers broken down by disease. This estimate, we are fully confident, will fall far below the *facts*, when they are developed.

With this statement of our plans and purposes, we appeal to you for aid in their accomplishment. Wherever our agents go, they find the common sentiment prevailing, that the Legislature *ought* to appropriate funds for this purpose, and this leads us to hope for your prompt and liberal action. Put us on a living and working basis, and with the proceeds of our shops and gardens, coupled with the usual success of our soliciting agents, we are hopeful for a career of great benefit to the soldier and orphan, with very little additional expense to the State.

We appeal to you as the representatives of a State whose soldiers have redeemed her from disgrace, and crowned her with peerless honors; as the representatives of a people who have borne much for their country's sake, but are willing to bear still more, if they may thus lighten the burdens of care, or want, or sorrow, that rest upon the maimed and shattered heroes that live, or the orphans of the noble dead.

The following extract from the report of Dr. Wishard, Superintendent of the temporary Home, is appended for your information:

"Total number	admitted up to November 17th.....	55	
" "	discharged.....	25	
" "	died	1—	26
	Total remaining.....		29

"Of the number remaining, eight have lost each one arm; one an arm and leg; four have lost both arms; one has lost both feet; two are hopelessly consumptive; one has dropsy, and the remainder are

broken down with old age and general debility. Few of them have homes, and none have friends able to take care of them."

Respectfully submitted,

O. P. MORTON, President;
JAMES M. RAY, Treasurer;
WM. HANNAMAN, Secretary;
JOHN HOGARTH LOZIER, Financial Agent.

Directors,

PHILIP HORNBROOK,....1st Dist.	JOHN A. MATSON,.....7th Dist.
*——— ———,.....2d "	S. KIRKPATRICK,.....8th "
JOSEPH I. IRWIN, ...3d "	JOHN B. NILES, ... 9th "
WILL. CUMBACK,.....4th "	ISAAC JENKINSON,.....10th "
*——— ———,.....5th "	JOHN U. PETTIT,.....11th "
JOHN COBURN,.....6th "	

* The vacancies occasioned by resignations, in the 2d and 5th Districts, have not yet been filled.

Mr. Henricks moved that the foregoing memorial be referred to the Special Committee heretofore appointed on that subject, and that the Committee be increased from five, to one from each Congressional District.

Which was agreed to.

Mr. Kilgore moved that three hundred copies be printed for the use of the House.

Which was agreed to.

Mr. Woods, from the Committee on Mileage and Accounts, made the following report.

MR. SPEAKER:

The Committee on Mileage request me to make the following report as the mileage due each member of the House of Representatives, as follows:

Abbett, 100; Atkinson, 180; Bird, 280; Bonner, 211; Boyd,

248; Branham, 168; Brown, 142; Burnes, 50; Burton, 200; Burwell, 312; Buskirk, 160; Caldwell, 100; Chambers, 196; Church, 300; Coffroth, 214; Collins, 376; Cook, 384; Cowgill, 180; Cox, 150; Croan, 80; Crook, 300; Davidson, 196; Dunham, 226; Ferris, 150; Foulke, 142; Glazebrook, 240; Gleason, 300; Goodman, 350; Gregg, 176; Gregory of Montgomery, 174; Gregory of Warren, 180; Griffith, 490; Groves, 420; Hamrick, 92; Hargrove, 330; Harrison, 52; Henricks, 370; Hershey, 150; Higgins, 312; Hogate, 50; Hoover, 144; Howard, 220; Humphreys, 230; Hunt, 250; James, 230; Johnson, 270; Kilgore, 108; Lane, 100; Lasselle, 152; Lee, 264; Lemon, 260; Litson, 172; Lockhart, 528; Lopp, 320; Major, 62; Meredith, 144; Miller, 134; Milroy, 160; Montgomery, 102; O'Brien, 260; Olleman, 30; Osborn, 150; Patterson, 240; Perigo, 410; Pinney, 60; Prather, 126; Reese, 140; Rhoads, 280; Rice, 200; Richards, 144; Richardson, 370; Riford, 464; Roach, 224; Sabin, 554; Shoaff of Allen, 306; Shoaff of Jay, 208; Shuey, 424; Sim; 142; Spencer, 480; Stuart, 92; Stenger, 206; Stivers, 80; Stringer, 76; Stuckey, 130; Sullivan, of Scott, 170; Sullivan of P. & V., 480; Thatcher, 53; Trusler, 130; Upson, 360; Veach, 124; Weikel, 300; Welch, 240; White, 48; Woodruff, 164; Wright, 456; Woods, 390; Zeigler, 425; Mr. Speaker, 180.

Which was concurred in.

Mr. Henricks offered the following resolution:

Resolved, That the Speaker of the House be authorized to appoint a clerk for himself, to date from the first of the session.

Which was agreed to.

On motion by Mr. Groves,

The House adjourned.

2 O'CLOCK, P. M.

The House met.

Mr. Woods moved that Joint Resolutions No. 3 and No. 4 be taken from the table, and placed on the files.

Which was agreed to.

House bill No. 107. A bill to amend sections 30, 42, 45 and 54 of an act entitled "an act for the incorporation of Insurance Companies, defining their powers, and prescribing their duties, approved June 17, 1852."

On motion by Mr. Woods,

The bill was laid on the table, and one hundred copies ordered to be printed for the use of the House.

House bill No. 121. A bill to cure defective acknowledgments of deeds in certain cases.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Bird, Bonner, Boyd, Branham, Brown, Burnes, Burton, Burwell, Chambers, Church, Coffroth, Collins, Cowgill, Cox, Croan, Crook, Davidson, Ferris, Foulke, Glazebrook, Gleason, Goodman, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Harrison, Henricks, Hershey, Hogate, Hoover, Howard, Humphreys, Hunt, James, Kilgore, Lane, Lasselle, Lee, Lemon, Litson, Lockhart, Lopp, Major, Meredith, Montgomery, McVey, Newcomb, O'Brien. Olleman, Osborn, Patterson, Perigo, Pinney, Reese, Rhoads, Rice, Richards, Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Stuart, Stenger, Stivers, Stuckey, Sullivan of Scott, Sullivan of P. & V., Thatcher, Veach, Weikel Welch, White, Woodruff, Wright, Woods, Zeigler and Mr. Speaker —83.

Those who voted in the negative were,

Messrs. Prather, Richardson, Riford, Stringer and Upson—5.

So the bill passed.

The question being, shall the title, as reported, stand as the title to said bill?

It was so ordered.

Ordered, That the Clerk inform the Senate of the passage of the said bill.

Message from the Governor, by Mr. Jacobs, his Private Secretary.

Gentlemen of the House of Representatives:

I regret to have to announce to you that ill health compels me for a time to withdraw from the discharge of official duties. I am advised by my physicians, and by my own knowledge of the condition of my health, that I cannot safely continue in the performance of the labor incident to the Executive Office, and that rest, a change of climate and locality is necessary to my recovery. The duties of the office during my absence will devolve upon Lieutenant Governor Baker, and I need not say to you that they cannot be placed in abler or safer hands. I have known him long and well, and can testify that in every department of life in which he has been placed, he has acquitted himself with distinguished ability, fidelity, and devotion to the cause of his country.

I hope and believe that your session will prove alike honorable to yourselves, and profitable to the State. It has begun under favorable auspices, and gives promise of being one of the most laborious and useful General Assemblies which has convened in this State for many years. For the kindness and consideration you have shown to me, on all occasions, I return you my grateful thanks. And for your health and prosperity, each and all, accept my most earnest wishes.

O. P. MORTON,

Governor of Indiana.

House bill No. 123. A bill to declare forfeited the right of way of certain Railroad Companies to branch roads, no part of which has been completed, and upon which no work has been done for ten

years, and declaring that the right of way aforesaid shall revert to the land owners along the route thereof.

Was read a third time and

On motion by Mr. Olleman,

Was laid on the table.

Mr. Brown in the Chair.

House bill No. 135. A bill to amend the six hundred and fifty-first section of the act entitled "an act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the Courts of this State; to establish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleadings and practice, without distinction, between law and equity," passed June 18, 1852.

Was read a third time.

By unanimous consent, the word "Sentinel" was stricken out of the bill wherever the same occurred, and the word "Herald" inserted instead thereof.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Bird, Bonner, Branham, Brown, Burnes, Buskirk, Caldwell, Chambers, Church, Cowgill, Cox, Crook, Davidson, Ferris, Foulke, Glazebrook, Gleason, Goodman, Gregory of Montgomery, Gregory of Warren, Groves, Hamrick, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Howard, Humphreys, Hunt, Lane, Lee, Lemon, Litson, Lopp, Major, Meredith, McVey, Newcomb, O'Brien, Osborn, Patterson, Perigo, Pinney, Prather, Rhoads, Rice, Richardson, Riford, Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Stuart, Stenger, Stringer, Stuckey, Sullivan of P. & V., Thatcher, Upson, Veach, Weikel, Welch, White, Woodruff, Wright, Woods and Zeigler—74.

Those who voted in the negative were,

Messrs. Boyd, Burton, Burwell, Collins, Croan, Griffith, Hoover, James, Kilgore, Lane, Olleman, Reese and Richards—13.

So the bill passed.

Mr. Shuey moved to amend the title by striking out the word "bill" and inserting that of "act."

Which was agreed to.

The title, as amended, was adopted.

Ordered, That the Clerk inform the Senate of the passage of said bill.

House bill No. 148. A bill to amend the 22d section of an act entitled "an act defining misdemeanors and prescribing punishment therefor," approved June 14, 1852.

Was read a third time and

On motion by Mr. Harrison,

Indefinitely postponed.

House bill No. 138. A bill to amend an act entitled "an act to provide a Treasury System for the State of Indiana for the manner of receiving, holding and disbursing the public moneys of the State and the safe keeping of public moneys," passed March 1, 1859, approved March 5, 1861.

By unanimous consent, the word "Sentinel" was stricken out wherever the same occurred, and that of "Herald" inserted in lieu thereof.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Bird, Bonner, Boyd, Brown, Burnes, Burton, Buskirk, Caldwell, Church, Collins, Cox, Croan, Crook Davidson, Foulke, Glazebrook, Goodman, Gregory of Warren, Griffith, Hargrove, Henricks, Hershey, Howard, Humphreys, Hunt, Lasselle, Lockhart, Lopp, Major, Meredith, O'Brien, Osborn, Perigo, Pinney, Prather, Rhoads, Rice, Richards, Richardson, Roach, Shoaff of Allen, Shoaff of Jay, Sim, Stenger, Stuckey, Sullivan of Scott, Thatcher, Weikel, White, Woodruff, Wright and Mr. Speaker—53.

Those who voted in the negative were,

Messrs. Branham, Chambers, Cowgill, Ferris, Gregory of Montgomery, Groves, Hamrick, Higgins Hoover, James, Lane, Lemon,

Litson, Miller, Montgomery, McVey, Newcomb, Olleman, Rees, Riford, Shuey, Stuart, Stringer, Sullivan of P. & V., Upson, Veach, Welch, Woods and Zeigler—29.

Mr. Church moved to reconsider the vote just taken on said bill. Which was agreed to.

The question again being, shall House bill No. 138 pass?

Those who voted in the affirmative were,

Messrs. Bird, Bonner, Boyd, Burton, Buskirk, Cox, Davidson, Goodman, Gregory of Warren, Griffith, Hargrove, Harrison, Hendricks, Howard, Humphreys, Hunt, O'Brien, Osborn, Perigo, Pinney, Richards, Shoaff of Allen, Shoaff of Jay, Stenger, Stivers, Stucker, Sullivan of Scott, White, Weikel and Wright—30.

Those who voted in the negative were,

Messrs. Abbett, Atkinson, Branham, Brown, Caldwell, Chamberlin, Church, Collins, Cowgill, Croan, Crook, Ferris, Foulke, Glazebrook, Gleason, Gregory of Montgomery, Groves, Hamrick, Hershey, Higgins, Hoover, James, Kilgore, Lane, Lemon, Lockhart, Litson, Major, Miller, Montgomery, McVey, Newcomb, Olleman, Prather, Reese, Rhoads, Richardson, Riford, Sabin, Shuey, Sim, Stuart, Stringer, Sullivan of P. & V., Upson, Veach, Welch, Woodruff, Woods, Zeigler and Mr. Speaker—51.

So the bill was lost.

House bill No. 81. A bill to amend section 2d of an act entitled "an act to enable the owners of wet lands to drain and reclaim the when the same cannot be done without affecting the lands of others" approved March 7, 1863.

Was read a third time, and,

On motion by Mr. Collins,

Laid on the table.

House bill No. 141. A bill to give Circuit and Common Pleas Judges additional powers in civil and criminal cases, during vacation.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Abbett, Bird, Brown, Buskirk, Chambers, Church, Croan, erris, Goodman, Griffith, Harrison, Hoover, Howard, Humphreys, asselle, Litson, Montgomery, Newcomb, Pinney, Rhoads, Richard- n, Shoaff of Allen, Stenger, Wright and Mr. Speaker—25.

Those who voted in the negative were,

Messrs. Atkinson, Bonner, Boyd, Burnes, Caldwell, Collins, Cow- ll, Cox, Crook, Davidson, Foulke, Glazebrook, Gleason, Gregory Montgomery, Gregory of Warren, Groves, Hamrick, Hargrove, enricks, Hershey, Higgins, Hunt, James, Kilgore, Lane, Lemon, opp, Major, Miller, McVey, O'Brien, Olleman, Osborn, Perigo, rather, Reese, Riford, Roach, Sabin, Shoaff of Jay, Shuey, Sim, tuart, Stivers, Stringer, Stuckey, Sullivan of P. & V., Upson, each, Weikel, Welch, White, Woodruff, Woods and Zeigler—55.

So the bill was lost.

Mr. Buskirk offered the following resolutions:

Resolved, That we have learned with unfeigned regret that his xcellency, Gov. O. P. Morton, has been compelled by severe indis- osition to withdraw for a time from the arduous duties of Executive f our State, and to seek a restoration of health in a temporary sence.

Resolved, That we deeply sympathize with him in his affliction nd confidently trust that he may be speedily restored to his accus- med health, and that at an early day he may resume again his ficial connection with us as Chief Magistrate of our State.

Resolved, That the concurrence of the Senate is hereby requested.

Resolved, That a certified copy of the above resolutions be deliv- red to His Excellency before his departure from the State.

Which was unanimously adopted.

Ordered, That the Clerk inform the Senate thereof.

Mr. Henricks offered the following resolution:

Resolved, That when the House adjourn at or before noon to-mor- ow, it will adjourn until Tuesday morning at 9 o'clock.

Mr. Brown offered the following amendment :

When the House adjourn to-morrow, it do adjourn, till 2 o'clock on Monday.

Which was agreed to.

The resolution, as amended, was agreed to.

The Speaker announced the following Committee, under the reso lution of the House on the subject of the Soldiers' Home :

Messrs. Newcomb, of 6th District, Chairman.
" Wright, of 1st ,,
" Howard, of 2d "
" Richards, of 3d "
" Stuart, of 4th "
" Kilgore, of 5th "
" Hamrick, of 7th "
" Roach, of 8th "
" Henricks, of 9th "
" Shuey, of 10th "
" Coffroth, of 11th "

Leaves of absence were granted to Messrs. Johnson and Trusle till Tuesday next.

The Speaker announced the following Joint Committee on Resolu tions of House of Representatives, Nov. 17, 1865 :

Messrs. Cowgill, Coffroth, Henricks, and Shoaff of Jay.

The Speaker (Mr. Higgins in the Chair), announced the followin Committee on House bill 156, heretofore ordered by the House.

Messrs. Pettit, Church, Shoaff of Jay, Humphreys, Gregory Montgomery.

Mr. Burton, from the Committee on Enrolled Bills, made the fo lowing report :

Mr. Speaker :

The Committee on Engrossed Bills, to whom were referred E grossed bills Nos. 173, 189, 184, 185, 41, 168 and 196, have exar

ined the same, and have directed me to report said bills to the House as correctly engrossed.

On motion by Mr. Kilgore,
The House adjourned.

SATURDAY MORNING, 9 o'clock,
November 18, 1865.

The House met pursuant to adjournment.

The Speaker ordered a call of the House, when the following members answered to their names:

Messrs. Bird, Bonner, Boyd, Buskirk, Caldwell, Church Collins, Cowgill, Crook, Davidson, Ferris, Foulke, Glazebrook, Gleason, Goodman, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hargrove, Harrison, Hershey, Higgins, Hogate, Hoover, Humphrey, Hunt, James, Kilgore, Lane, Lemon, Litson, Lopp, Major, Meredith. Miller, McVey, Newcomb, O'Brien, Osborn, Perigo, Pinney, Reese, Rhoads, Rice, Richards, Richardson, Riford, Roach, Sabin, Shuey, Sim, Stenger, Stuckey, Sullivan of Scott, Sullivan of P. & V., Upson, Veach, Weikel, Welch, White Wright, Woods, Zeigler and Mr. Speaker—67.

The further call was dispensed with.

The Clerk proceeded to read the Journal, when,
On motion by Mr. Newcomb,
The further reading thereof was dispensed with.

The Journal of yesterday was approved.

Message from the Senate by Mr. Wilson, their Secretary:

Mr. Speaker:

I am directed by the President of the Senate to inform the House

that the Senate has passed the following concurrent resolution of the House, to-wit:

Be it resolved by the House of Representatives, (the Senate concurring) that that portion of the Governor's Message which refers to the Public Debt, be referred to a Joint Committee of both Houses, to consist of the Committee on Ways and Means, on the part of the House, to which four members shall be added, and the Committee of Finance on the part of the Senate, to which two members shall be added, and that said committees shall have power to send for persons and papers.

I am also directed by the President of the Senate, to inform the House that the Senate has passed the following engrossed bills thereof, to-wit:

Engrossed Senate bill No. 202, entitled "an act making specific appropriations from the Treasury;" also Engrossed Senate bill No. 196, entitled "an act concerning the writ of Habeas Corpus;" in which the concurrence of the House is respectfully requested.

Also, that the Senate has passed the following, House bill No. 199, entitled "an act to provide for the distribution of the interest on the School, Sinking and Trust Funds, of this State, held for the support of common schools; to repeal all laws in conflict, and declaring an emergency."

With the following engrossed amendments thereto, to-wit:

Striking out the word "funds" in section 1, and inserting therein the word "eevenues;" also, in the title of said bill, after the word "conflict," by adding the word "therewith," in which the concurrence of the House is respectfully requested.

Also, that the Senate has concurred in the following resolutions of the House, to-wit:

Resolved, That we have learned with unfeigned regret, that his Excellency, Gov. O. P. Morton, has been compelled by severe indisposition to withdraw for a time from the arduous duties of Executive of our State, and to seek a restoration of health in a temporary absence.

Resolved, That we deeply sympathize with him in his affliction,

and confidently trust that he may be speedily restored to his accustomed health, and that, at an early day he may resume again his official connection with us as Chief Magistrate of our State.

Resolved, That the concurrence of the Senate is hereby requested.

Resolved, That a certified copy of the above resolutions be delivered to his Excellency before his departure from the State.

PETITIONS, MEMORIALS AND REMONSTRANCES.

By Mr. Foulke:

A petition from citizens of Wayne county on the subject of Temperance.

Referred to the Committee on Temperance, without reading.

By Mr. Sim:

A petition on the same subject, from citizens of Wayne county.

Which was referred to the Committee on Temperance, without reading.

By Mr. Cox:

A petition on the same subject, from citizens of Henry county.

Referred to Committee on Temperance, without reading.

By Mr. Cox:

Sundry petitions from citizens of Pulaski county, on the same subject.

Referred to Committee on Temperance, without reading.

By Mr. Kilgore:

A petition on the same subject, from citizens of Delaware county.

Referred to Committee on Temperance, without reading.

By Mr. Abbett:

A memorial from the Commissioners of Bartholomew county, asking a modification of the law "for the relief of the families of soldiers, seamen, marines, &c.," approved March 4, 1865.

Which was referred to the Committee on the Judiciary, without reading.

By Mr. Bird:

A memorial on the same subject, from the Commissioners of Allen county.

Referred to the Committee on the Judiciary, without reading.

By Mr. Atkinson:

A memorial from the Commissioners of White county, on the same subject.

Referred to the Committee on the Judiciary, without reading.

By Mr. Kilgore:

A memorial from the Commissioners of Delaware county, on the same subject.

Referred to the Committee on the Judiciary.

Message from the Governor, by Mr. Jacobs, his Private Secretary:

MR. SPEAKER:

I am directed by the Governor to inform your honorable body that he has approved and signed House bill No. 59, entitled "an act to authorize railroad companies to occupy and use for railroad purposes the property of canal companies with their consent, and to secure them in such occupation and use, and for the protection of the hydraulic powers of such canal; and to authorize the lessees of the water privileges, in said canal, to organize a company or companies for the maintenance thereof, in case of the failure of said canal company to maintain the same," and that the same has been deposited in the office of the Secretary of State.

The Speaker announced the following select committee on State apportionment, under resolution reported by Committee of the Whole House:

Messrs. Church, 9th district, Chairman; Richardson, 1st district; Groves, 2d district; Boyd, 3d district; Stenger, 4th district; Truler, 5th district; Olleman, 6th district; Veach, 7th district; Stringer, 8th district; Shoaff of Allen, 10th district; Stivers, 11th district.

Mr. Newcomb, from the Committee on the Judiciary, made the following report:

MR. SPEAKER:

The Committee on the Judiciary, to whom was referred House bill No. 147, entitled "a bill to enable the Board of Directors of incorporated Turnpike Companies to change the time of holding the election of Directors," have had the same under consideration and have instructed me to report the same back with the following amendment, and when so amended to recommend its passage.

Amend by adding to the last clause of the bill the following:

"*Provided*, That such time shall not be fixed more than ninety days beyond the time now designated for such election in the act or acts of incorporation under which such Turnpike Company exercises its corporate powers."

On motion by Mr. Buskirk,
Said bill and report were laid on the table.

Mr. Newcomb, from the Committee on the Judiciary, made the following report:

MR. SPEAKER:

The Committee on the Judiciary, to whom was referred House bill No. 35, entitled "a bill to prevent county officers and their deputies from practicing law during their term of office, and prescribing penalties therefor," have had the same under consideration, and direct me to report the same back with a recommendation that it be indefinitely postponed, the subject matter of the bill having been embodied in an act passed at the last session of the General Assembly.

The report was concurred in and House bill No 35 was indefinitely postponed.

Mr. Newcomb, from the Committee on the Judiciary, made the following report:

MR. SPEAKER:

The Committee on the Judiciary, to whom was referred House bill No. 28, entitled "an act to exempt soldiers in the service of the United States from the payment of a poll tax," have had the same under consideration, and inasmuch as the subject matter of the bill

was legislated upon at the last session of the General Assembly, they recommend that the bill be indefinitely postponed.

Which was concurred in.

Mr. Gregory of Warren, from the Committee on Education, made the fellowing report:

MR. SPEAKER:

The Committee on Education, to whom was referred House bill No. 208, have had the same under consideration, and a majoriry of said committee have directed me to recommend the following amendment to said bill, and when so amended recommend the passage of the same.

After the words "provided always," in the 18th line of the 4th page, amend so that the same shall read as follows, to-wit:

"That the school trustees shall make provision for the education of the colored children in their respective townships, towns and cities. And in any case wherein fifteen or more colored children have been or can be enumerated for one school house, said trustees shall provide a separate school for said colored children unless they are, or can be, otherwise provided for, and that for the maintenance and support of such schools, they shall be entitled to their equitable portion of the school revenue. And it is hereby made the duty of each trustee in every township, town and city of the State, to take an enumeration of the colored children therein, between the ages of six and twenty-one years, under the same rules and regulations as is prescribed in the fourteenth (14) section of the act to which this is an amendment for the enumeration of the white children of the State.

The report was laid on the table.

Mr. Major, from the Committee on Fees and Salaries, made the following report:

MR. SPEAKER:

The Committee on Fees and Salaries, to whom was referred House Bill No 114, beg leave to report that they have considered the same, and have directed me to report it back, recommending its indefinite postponement.

The report was concurred in, and the bill indefinitely postpnoed.

By Mr. Meredith:

House bill No. 219. A bill to repeal sections 43 and 44 of an act entitled "an act prescribing who may make a will, the effect thereof, what may be devised, regulating the revocation, admission to probate, and contest thereof, approved May 31, 1852."

Which was read a first time, and referred to the Committee on the Judiciary.

By Mr. Buskirk:

House bill No. 220. A bill to amend the 14th section of an act entitled "an act to limit the number of Grand Jurors, and to point out the mode of their selection, defining their jurisdiction, and repealing all laws inconsistent therewith," so as to give the Grand Jury concurrent jurisdiction with the courts of Common Pleas, and Justices of the Peace, of misdemeanors, except in cases where the fine cannot exceed three dollars.

Which was read a first time, and passed to a second reading.

By Mr. Gregory of Warren:

House bill No. 221. A bill to amend the 17th section of an act containing several provisions regarding landlords, tenants, lessors and lessees, approved May 20, 1852.

Was read a first time, and referred to the Committee on the Judiciary.

By Mr. Newcomb:

House bill No. 222. A bill extending the time for the redemption of real estate sold by the Commissioners of the Sinking Fund, upon mortgages to the State of Indiana, on behalf of said Fund; and providing for notices to be given the mortgagors or their heirs or assigns, in cases where such real estate sales have been made.

Was read a first time, and referred to the Committee on Sinking Fund.

By Mr. Cox:

House bill No. 223. A bill to prevent the killing of birds.

Was read a first time, and referred to the Committee on Agriculture.

By Mr. Burnes:

House bill No. 224. A bill to regulate the docket fees of prosecuting attorneys in the Circuit Courts, and district attorneys in the Courts of Common Pleas, and before justices of the peace, and to repeal all former laws contravening the provisions of this act, and declaring an emergency.

Was read a first time, and referred to the Committee on Fees and Salaries.

By Mr. Rice:

House bill No. 225. A bill to amend section 1 of an act entitled "an act to enable illegitimate children to inherit in certain cases," approved February 10, 1853.

Was read a first time, and referred to the Committee on the Judiciary.

Mr. Coffroth offered the following resolution:

Resolved, That the Committee on the State Prison (North) be instructed to inquire into the expediency of fixing by law the distances from the respective counties to said prison, whereby the mileage of sheriffs in conveying convicts shall be determined, and to report by bill or otherwise.

Which was agreed to.

Mr. Rhoads moved to suspend the order of business, and take up House bill No. 199.

Which was agreed to.

House bill No. 199. A bill to provide for the distribution of the interest on the School, Sinking and Trust Funds of this State, held for the support of Common Schools, to repeal all laws in conflict therewith, and declaring an emergency.

Was taken up, and the following engrossed amendments of the Senate were read and concurred in:

Strike out the word "funds," in section 1, and insert therein the word "revenues."

Also, in the title of said bill, after the word "conflict," add the word "therewith."

Mr. Coffroth moved ta suspend the order of business and take up Senate bill No. 202.

Which was agreed to.

Senate bill No. 202. A bill making a specific appropriation from the State Treasury.

Was taken up and read a first time.

Mr. Coffroth moved that it be deemed expedient to suspend the Constitutional rule requiring bills to be read on three several days, and said bill be read a second and a third time now.

The ayes and noes were taken under the Constitution.

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Bird, Boyd, Brown, Burns, Buskirk Caldwell, Chambers, Church, Coffroth, Collins, Cowgill, Cox,, Crook, Davidson, Ferris, Foulke, Glazebrook, Gleason, Goodman, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Hargrove, Henricks, Hershey, Hogate, Hoover, Howard, Humphreys, Hunt, James, Kilgore, Lane Litson, Lemon, Lopp, Major, Miller, Montgomery, McVey, Newcomb, O'Brien, Olleman, Osborn Patterson, Perigo, Pinney, Reese, Rhoads, Rice, Richards, Riford, Roach, Sabin, Shoaff of Allen, Shuey, Stringer, Stuckey, Sullivan of P. & V., Upson, Veach, Weikel, Welch, White, Wright, Woods, Zeigler and Mr. Speaker—73.

So it was deemed expedient to suspend said Constitutional rule, and Senate bill No. 202 was read a second time.

Mr. Newcomb moved that the bill be referred to the Committee on Ways add Means.

Mr. Kilgore moved to lay said motion on the table.

Which was agreed to.

Mr. Newcomb offered the following amendments:

Provided, further, That it shall not be lawful for the Auditor of State to draw his warrant in favor of any employee of either House of the General Assembly for any *per diem* or other compensation allowed by a resolution of such House, when the sum so allowed exceeds the amount provided by law.

Further amend by allowing the Clerks and their assistants five dollars per day each, and the Principal Doorkeepers five dollars per day each.

Mr. Kilgore moved to lay the amendments on the table.

Messrs. Newcomb and Montgomery demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Abbett, Bird, Bonner, Brown, Burnes, Burwell, Buskirk, Caldwell, Chambers, Church, Coffroth, Collins, Cox, Crook, Davidson, Ferris, Glazebrook, Goodman, Gregg, Gregory of Warren, Griffith, Hamrick, Hargrove, Hershey, Hoover, Humphreys, Hunt, James, Kilgore, Lane, Lemon, Litson, Lopp, Meredith, O'Brien, Osborn, Patterson, Perigo, Pinney, Reese, Richards, Roach, Shoaff of Allen, Shuey, Stuckey, Veach, Welch, White Woods and Zeigler —49.

Those who voted in the negative were,

Messrs. Atkinson, Boyd, Cowgill, Foulke, Gleason, Gregory of Montgomery, Groves, Harrison, Higgins, Hogate, Major, Miller, Montgomery, McVey, Newcomb, Olleman, Rhoads, Rice, Riford, Sabin, Stringer, Sullivan of P. & V., Welch, White, Wright and Zeigler—25.

So the amendments were laid on the table.

So Senate bill No. 202 was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Bird, Boyd, Brown, Burnes, Burwell, Buskirk, Caldwell, Chambers, Church, Coffroth, Collins, Cox, Crook, Davidson, Ferris, Glazebrook, Goodman, Gregg, Gregory of Warren, Griffith, Hamrick, Hargrove, Henricks, Hershey, Hogate, Hoover, Humphreys, Hunt, James, Kilgore, Lane, Lemon, Litson, Lopp, O'Brien, Olleman, Osborn, Patterson, Perigo, Pinney, Reese, Richards, Roach, Sabin, Shoaff of Allen, Shuey, Stuckey, Veach, Weikel, White, Wright, Woods and Zeigler—55.

Those who voted in the negative were,

Messrs. Cowgill, Gleason, Gregory of Montgomery, Groves, Higgins, Major, Miller, Montgomery, McVey, Newcomb, Rhoads, Rice, Stringer, Welch and Mr. Speaker—15.

So the bill passed.

The question being, shall the title, as reported, stand as the title to said bill?

It was agreed to.

Ordered, That the Clerk inform the Senate of the passage of said bill.

HOUSE BILLS ON SECOND READING.

House bill No. 210. A bill to fix the time of holding the Court of Common Pleas in the county of Grant, and repealing all laws in conflict herewith.

Was read a second time, and passed to a third reading.

Joint Resolution No. 17. A Joint Resolution amendatory of section 9, article 4, of the Constitution of the State of Indiana, so as to provide for annual sessions of the General Assembly.

Was read a second time.

Mr. Stringer moved to commit the Joint Resolution to the Committee on the Judiciary.

Pending which,

On motion by Mr. Shuey,

The House adjourned till Monday next at 2 o'clock, P. M.

MONDAY, 2 o'clock, P. M.
November 20, 1865.

The House met.

Mr. Buskirk in the Chair, by the request of the Speaker, and by the consent of the House.

On motion by Mr. Olleman,

The reading of the Journal was dispensed with.

PETITIONS, MEMORIALS AND REMONSTRANCES.

By Mr. Groves:

A memorial from the Commissioners of Perry County, asking a modification of the law in relation to the relief of the families of soldiers, seamen, marines, &c., approved March 4, 1865.

Which was referred to the Committee on Ways and Means.

By Mr. Sullivan, of Posey and Vanderburg:

A memorial from the Commissioners of Vanderburg County, on the same subject.

Which was referred to the same committee.

By Mr. Upson:

A memorial from the Commissioners of Kosciusko county on the same subject.

Referred to the same committee.

By Mr. Bonner:

A memorial from the Commissioners of Decatur county on the same subject.

Referred to the same committee.

By Mr. Hedricks :

A petition for the relief of Ezekiel Green, County Treasurer of St. Joseph county.

Which was referred to the Committee on Claims.

By Mr. Sim :

A petition from citizens of Pulaski county, on the subject of Temperance.

Which was referred to the Committee on Temperance.

By Mr. Richardson :

A petition from sundry citizens of Pike county, praying for a change of the law licensing the sale of spirituous liquors.

Which was referred to the Committee on Temperance.

By Mr. Bonner :

A petition from the citizens of Decatur county, signed by James W. Craig and others, asking the repeal of the *Black Laws*.

Referred to the Committee on the Rights and Privileges of the Inhabitants of the State.

By Mr. Abbett :

A claim in favor of A. E. Vinton & Co., for three thermometers, three dollars.

Which was referred to the Committee on Claims.

By Mr. Chambers :

A petition from sundry citizens of Henry county, on the subject of temperance.

Which, on motion, was referred to the Committee on Temperance.

REPORTS FROM COMMITTEES.

Mr. Major, from the Coommittee on Fees and Salaries, made the following report :

Mr. Speaker :

The Committee on Fees and Salaries, to whom was referred

House bill No, 190, entitled "an act to amend section eight of an act regulating the fees of officers and repealing former acts in relation thereto," approved March 2, 1855, report that they have considered the same and recommend the following amendments:

"It is hereby made the duty of the County Commissioners of each of the several counties, of this State, at their regular sessions to count or estimate the number of words, counting three figures as one word contained in all records, copies and other writings made by the county auditors of their respective counties and for each one hundred words appearing in such writing, the county auditor shall receive 12½ cents." Amend the seventh line in said section so as to read: "Each county order one cent;" and when so amended the committee have directed me to recommend its passage.

Which was concurred in.

Mr. Montgomery, from the Joint Committee on Enrolled Bills, made the following report:

Mr. Speaker:

The Joint Committee on Enrolled Bills would respectfully report that they have carefully compared engrossed House bill No. 199 with the enrolled copies thereof, and find that the same is in all respects carefully and properly enrolled.

Mr. Newcomb, from a Special Committee heretofore appointed on the Employees of the House, made the following report:

Mr. Speaker:

The Committee, to whom was referred the employment of assistants for the officers of the House, report that the Doorkeeper requests the employment of an additional assistant to carry mail matter to and from the post office, and it is represented that the folding Clerk needs assistance in his department. Your committee thinks that one man can perform the entire work of both persons, and recommend that the Doorkeeper be authorized to employ one assistant whose duty it shall be to transport the mail matter of this House to and from the post office, under the directions of the Door-

keeper, and when not engaged in that duty he shall assist the folding Clerk in his department.

Which was concurred in.

Mr. Sabin offered the following resolution:

Resolved, That the Committee on Courts of Justice be instructed to inquire into the expediency of reporting a bill providing for the purchase and distribution of Gavin & Hord's Statutes, to justices of the peace, township trustees and such other officers as are entitled to receive the statutes of the State by the laws of Indiana.

Which was agreed to.

Mr. Hargrove offered the following resolution:

Resolved, That the Committee on the Judiciary be hereby instructed to inqure whether or not the Legislature, of the State of Indiana, has the constitutional right or power to provide by law for levying and collecting a tax upon the bonds of the United States Government used in this State for banking purposes, or as bank stock; and if so, that said committee be further directed to report a bill to this House to that end, thus placing such bonds upon the same footing with other property of the State in regard to the burdens of taxation.

Which was agreed to.

Mr. Humphreys offered the following resolution:

Resolved, That the Committee of Ways and Means be instructed to inquire into the expediency of so amending the law as to make United States Government Bonds held by persons in this State subject to taxation, in the same manner and for the same purposes that other property is taxed, and that they report by bill or otherwise.

Which was referred to the Committee on the Judiciary.

JOINT RESOLUTIONS.

By Mr. Gregg:

House Joint Resolution No. 18. A Joint Resolution in relation to the taxation of United States Bonds, and other public securities.

Which was read a first time and,

On motion,

Referred to the Committee on Federal Relations.

By Mr. Gregg:

House Joint Resolution No. 19. A Joint Resolution in relation to the taxation of United States Bonds and other public securities.

Which was read a first time and,

On motion,

Referred to the Committee on Federal Relations.

Message from the Governor, by Mr. Jacobs, his Private Secretary, with accompanying documents.

To the Speaker of the House of Representatives:

Charles P. Jacobs, Esq., Private Secretary, is hereby authorized, as heretofore, to make Executive communications to the General Assembly.

The following message from the Lieutenant Governor, acting as Governor, by his Private Secretary, Mr. Jacobs, was received:

To the Senate and House of Representatives:

You have already been informed by His Excellency, the Governor, of his inability, for the present, to discharge the duties of his office. In assuming the duties devolved upon me by the Constitution, I cannot refrain from expressing my profound regret that the State should be, even temporarily, deprived of the services of an officer in whose wisdom and patriotism the people have such implicit confidence, nor from giving utterance to the hope for his speedy restoration to health and the performance of the duties to which he was called by the voice of his fellow citizens. Allow me here to express my ardent desire to co-operate with the General Assembly in all measures intended to promote the honor and prosperity of the State, and the welfare of its people.

I beg leave herewith respectfully to submit the report of Dr. William Hannaman, President of the Indiana Sanitary Commission, setting forth a statement of the receipts and expenditures of the Commission from the 10th day of December, 1864, to November 10th, 1865, and also showing the aggregate receipts and disbursements since its establishment. The Commission was organized in February, 1862, and it will be seen from the report of the President now submitted that its cash receipts since that time amount to the sum of

two hundred and six thousand six hundred and five dollars and twenty-six cents, while the contributions in stores and supplies, at their estimated cash value, amount to the further sum of three hundred and fifty-nine thousand dollars and three cents, making a grand total of $565,105 29, of voluntary contributions by the people of Indiana, to administer to the comfort and supply the wants of our soldiers. The cash expenditures of the Commission, during the same period, amount to the sum of $206,105 26, leaving a balance of cash in the treasury of the Commission, at this time, of $500, all the stores and supplies contributed having been applied as contemplated by the contributors. This record is highly creditable to the humanity, patriotism and justice of the people of this State. It was the desire of Governor Morton to communicate to the General Assembly his high appreciation of the services of the gentlemen who have contributed so much of their time, energy and talents to the collection, management and distribution of these moneys and supplies, and I deeply regret that circumstances beyond his control prevented him from properly acknowledging these services in his official capacity.

I desire to say in this connection, that Dr. Hannaman, the able and faithful President of the Commission, is entitled to the gratitude and thanks of the people of the State, for the industry, prudence and fidelity with which he has presided over the operations of the Commission since its organization. Alfred Harrison, Esq., the patriotic Treasurer of the Commission, is no less entitled to be held in grateful remembrance, for the ability and fidelity with which he has managed the funds of the Commission. The zeal, intelligence and industry of Chaplain John H. Lozier and Captain A. Atkinson, in commending the cause of our brave soldiers to the sympathies of the people, and collecting contributions to the Sanitary work, are known throughout the State, and appreciated wherever known. To enumerate all those who have devoted their energies to the furtherance of this great work of beneficent justice, would exceed the limits prescribed for this communication; but their labors will long be remembered by the people, and especially by the soldiers and their friends.

I also herewith submit the report of Dr. Wm. Hannaman, General Military Agent of the State, showing the condition and operations of all the Indiana Military Agencies established by the Governor, from December, 1864, to the present time. I especially commend this report to the careful consideration of the General Assembly. The good performed, and the suffering prevented or alleviated through

the instrumentality of these agencies, cannot be too highly appreciated. I respectfully recommend that provision be made for the continuance of the Agency at Washington City, and for placing it on a permanent basis. The wants of our discharged soldiers, and the families of such as have given their lives to their country will probably require such a central agency for several years. A necessity, also, in my judgment, exists, for the continuance, for the present, of an agency at Indianapolis. The small sum that it will cost the people of the State to continue these two agencies will be a trifle in comparison to the large amounts which will be saved to the surviving soldiers of this State, and to the families of those who have died in the service, in the preparation and presentation of their claims against the Government. The few remaining agencies, as will be seen by the report above referred to, will soon be closed.

I also herewith transmit to the General Assembly the memorial of the Board of Trustees of the Indiana Agricultural College, praying for the passage of a Joint Resolution instructing our Senators and requesting our Representatives in Congress to use their influence to procure such a modification of the act of Congress as will enable States in which there are no public lands subject to entry, instead of selling their land scrip, to enter lands therewith in any other States in which there may be Government lands subject to entry. Under existing legislation, if there is no public land subject to entry in the State to which the scrip is issued, lands cannot be entered with the scrip in any other State, but the State to which the issue is made will be compelled to sell the scrip, in order to establish and endow the College.

The object should be to realize from the munificent Congressional Donation for the establishment and endowment of Agricultural Colleges in the several States, the largest possible amount. If the scrip is forced upon the market by all those States who, like Indiana, have no lands—or comparatively none—within their limits subject to entry, the result will be the depreciation of the scrip, and to that extent, the defeat of the object of the grant. With a proviso in the proposed amendatory act requiring any State entering lands with scrip, in another State, to sell the same within a limited time, say five or six years from the date of entry, it is believed that no good reason exists why the modification prayed for should not be granted.

I, therefore, respectfully recommend the passage of a joint resolution instructing our Senators and requesting our Representatives

to use their influence to procure the passage of an amendatory act, such as is prayed for in the memorial, with a proviso requiring the sale of the land within some reasonable time, as before suggested. The Commissioner of the General Land Office had called the attention of the Board of Trustees of the Indiana Agricultural College to the fact that, while the act passed at your last session, and approved March 6, 1865, accepting the Congressional grant, contains a provision in the fifth section thereof authorizing the Treasurer of the Board of Trustees of the Indiana Agricultural College, under the direction of the Board, to *sell* the land scrip which might be received under the Congressional grant; no authority is conferred to transfer or assign the scrip which may be so sold. The General Assembly, in passing the act above alluded to, doubtless considered the power to *transfer* as incident to the power to *sell*, but to obviate all doubt on that subject, I respectfully recommend that the fifth section of the act accepting the grant be so amended as to expressly empower the assignment of the scrip when sold. To that end, I herewith respectfully submit for your consideration an amendatory bill, prepared under the supervision of the Board of Trustees of the Indiana Agricultural College. I am informed that the market is now glutted with land scrip issued to other States, and that the result is that it is selling as low as fifty cents per acre. At these rates the scrip to which Indiana is entitled under the grant, representing, as it will, 390,000 acres of land, would be entirely inadequate to the accomplishment of the object in view. Under these circumstances, if a modification of the act of Congress so as to permit the entry of land, as before suggested, can not be procured, sound policy manifestly requires that the scrip which Indiana may receive should not, for the present, be put in market.

I, therefore, recommend that the act of last session be further amended so as to prohibit the sale of any of the scrip for a limited time, to be named in the act, or that a price be designated below which it shall not be sold.

I beg leave, also, to call the attention of the General Assembly to the fact that, by the fifth section of the Act of Congress approved July 2, 1862, the grant in aid of Agricultural Colleges is made subject to the condition that any State which shall take and claim the benefit of the provisions of that act *shall* provide within five years, at least, not less than one college, as described in the fourth section of the act, or the grant to such State shall cease, and said State

shall be bound to pay the United States the amount received of any lands previously sold. As less than two of the five years remain within which a college must be provided to prevent a forfeiture, I respectfully suggest the propriety of an application to Congress for an extension of the time limited for the establishment of such college.

CONRAD BAKER,
Lieutenant Governor, acting as Governor.

BILLS INTRODUCED.

By Mr. Henricks:

House bill No. 226. A bill requiring all property hereafter sold by virtue of any order of Court, or in pursuance of any process of law, to be sold without appraisement, and repealing all laws inconsistent therewith.

Which was read a first time, and,

On motion,

Referred to the Committee on the Judiciary.

By Mr. Caldwell:

House bill No, 227. A bill to amend the fifth clause of the 324th section of an act entitled "an act to revise, simplify and abridge the rules, practice, pleading and forms in civil cases in the Courts of this State; to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1852.

Which was read a first time, and referred to the Committee on the Judiciary.

By Mr. Lasselle:

House bill No. 228. A bill to amend section eighty of an act entitled "an act to revise, simplify and abridge the rules, practices, pleadings and forms in civil cases in the Courts of this State; to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1852.

Which was read a first time, and referred to the Committee on the Judiciary.

By Mr. Crook:

House bill No. 229. A bill entitled "an act to authorize the County Boards of the several counties of this State to furnish dockets for the justices of the peace in their respective counties."

Which was read a first time, and passed to a second reading.

By Mr. Olleman:

House bill No. 230. A bill to repeal section eighteen of an act entitled "an act to allow County Commissioners to organize Turnpike Companies where three-fifths of the persons representing the real estate within prescribed limits, petition for the same and to levy a tax for its construction and provide for the same to be free."

Which was read a first time and referred to the Committee on Corporations.

By Mr. Lasselle:

House bill No. 231. A bill to protect lawful public notices, and prescribing a penalty for injuries thereto.

Which was read a first time, and passed to a second reading.

By Mr. Henricks:

House bill No. 232. A bill limiting the amount of passenger fare on railroads, and providing penalties for the violation of this act.

Which was read a first time, and passed to a second reading.

Mr. Prather moved,

That the House do now adjourn,

Not agreed to,

Mr. Griffith, by consent, offered the following resolution:

Resolved, by this House, the Senate concurring, that the Clerk of each Circuit Court be authorized to distribute the surplus Journals of the Senate and House, and Acts in his possession, giving to each Township Trustee, and each Justice of the Peace, one copy of each, and the balance as his discretion may indicate: *Provided*, that he reserves duplicate copies of each for his own office.

Which was agreed to.

Message from the Governor, with accompanying documents, by Mr. Jacobs, his Private Secretary:

To the Senate and House of Representatives:

I herewith transmit to the General Assembly the report of the Board of Control of the Northern Indiana State Prison, with the accompanying reports of the Superintendent of Construction and the Warden of the prison. From the report of the Board of Control, it appears that a contract for the completion of the prison has been made, at a price which, according to the accompanying estimates of the work to be done, will require $179,747 59; which sum is in excess of existing appropriations on accouut of construction, to the amount of $97,747 49. And for this last named amount, an appropriation is asked by the Board. And a further appropriation is solicited by the Board of $30,000 for the erection of thekitchen, dining-room and hospital buildings of the Prison, and the still further sum of $8,133 71; to discharge the debt of that amount accrued prior to the 15th day of Nov., 1865, on account of current expenses, making the aggregate amount asked to be appropriated, $135,921 20.

Whilst I have great confidence in the integrity and capacity of the Board of Control, I am not sufficiently informed as to the past history and present necessities of this Prison, to justify me in making any specific recommendation on the subjects embraced in the report I therfore commend the consideration of the report to the General Assembly, feeling assured that such measures will be enacted, and such appropriations made, as the condition of our finances will justify and the public welfare may require.

I also herewith respectfully transmit a copy of a communication from Andrew Wallace, Esq., President of the Board of Trustees of the Benevolent Institutions, accompanied by a copy of the report made to him by the Superintendent of the Indiana Institute for the Education of the Blind. No appropriation is asked for the Hospital but it will be seen by the report of the Superintendent of the Institute for the Blind, that the existing appropriations for the Institute for the Education of the Blind are largely insufficient to meet current expenses, and to defray the cost of repairs which would seem to be absolutely necessary to prevent a suspension of the operations of this institution, and I therefore earnestly recommend that, after investigating its condition and ascertaining its necessities, through the appropriate committees, such appropriations be made as will enable

the Institute to continue the mission of mercy for which it was wisely established.

CONRAD BAKER,

Lieutenant Governor, Acting as Governor.

On motion, by Mr. Henricks,

The accompanying reports were referred to appropriate committee, and 200 copies of reports and messages ordered to be printed for use of the House.

Mr. Chambers, by unanimous consent, offered the following resolution:

WHEREAS, The Journal Company have informed the members of this House that they will hereafter discontinue the publication of the brevier reports of this House;

AND WHEREAS, The publication of the full proceedings of this House was a condition of our contract with said Company; therefore,

Resolved, That the Doorkeeper be directed to rescind our contract with said Journal Company, and to make same contract with Gazette Company, provided said Company will agree to publish the brevier reports of this House in full.

Mr. Kilgore moved that the resolution be made the special order for to-morrow, at 10 o'clock, A. M.

Mr. Cox moved to lay the resolution and amendments on the table.

Mr. Hamrick moved the House do now adjourn.

Which was not agreed to.

The question being on laying on the table, Messrs Cox and Henricks demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Caldwell, Church, Collins, Cox, Davidson, Ferris, Gleason, Goodman, Groves, Hamrick, Henricks, Howard, Hoover, James, Major, Montgomery, McVey, Newcomb, Rhoads, Richardson, Riford, Shoaff of Jay, Shuey, Sim, Stuckey, Sullivan of Scott, Sullivan of P. & V., Upson, Weikel and Zeigler—30.

Those who voted in the negative were,

Messrs. Abbett, Atkinson, Bonner, Boyd, Burnes, Buskirk, Chambers, Croan, Crook, Foulke, Gregg, Griffith, Hargrove, Harrison, Hogate, Humphreys, Hunt, Kilgore, Lasselle, Lee, Lemon, Litson, Lopp, O'Brien, Olleman, Osborn, Patterson, Perigo, Prather, Reese, Pinney, Richards, Roach, Sabin, Shoaff of Allen, Stringer, Thatcher, Trusler, Veach, Welch, White, Woodruff, Woods and Wright—44.

So the motion did not prevail.

The question being on making the resolution the special order of the day for to-morrow.

It was not agreed to.

Mr. Kilgore moved that the House do now adjourn.

Which was not agreed to.

Mr. Olleman moved that so much as refers to the Journal Company in second preamble, be stricken out.

Which was accepted by the mover.

Mr. Hamrick moved to lay the whole subject on the table.

Which was agreed to.

Message from the Senate by Mr. Wilson, their Secretay:

Mr. Speaker:

I am directed by the President of the Senate to present for your signature, enrolled act No. 202, of the Senate, which is herewith respectfully submitted.

On motion by Mr. Kilgore,

The House adjourned.

TUESDAY MORNING, 9 o'clock. }
November 21, 1865. }

The House met pursuant to ajournment.

The Speaker ordered a call of the House, when the following members answered to their names:

Messrs. Atkinson, Bonner, Branham, Brown, Burnes, Caldwell, Chambers, Church, Collins, Cook, Cowgill, Cox, Croan Crook, Davidson, Ferris, Glazebrook, Goodman, Gregg, Gregory of Warren, Gregory of Montgomery, Griffith, Groves, Hargrove, Harrison, Henricks, Hershey, Higgins, Hoover, Howard, Humphreys, Hunt, James, Johnson, Kilgore, Lee, Lemon, Lockhart, Lopp, Major, Milroy, Montgomery, O'Brien, Olleman, Osborn, Perigo, Pinney, Prather, Rhoads, Rice, Richards, Richardson, Riford, Sabin, Shuey, Sim, Stringer, Stuckey, Sullivan of Scott, Trusler, Upson, Veach, Weikel, Welch, White, Woodruff, Wright, Woods, Zeigler and Mr. Speaker—70.

There being a quorum present, a further call of the House was dispensed with.

The Clerk proceeded to read the Journal, when,
On motion by Mr. Cox,
The further reading thereof was dispensed with.

The Journal was corrected and approved.

The Speaker announced that he had signed engrossed House bill No. 199; also, engrossed Senate bill No. 202.

Mr. Branham asked, and obtained leave of absence for the Committee of Ways and Means during the sessions of the House.

PETITIONS, MEMORIALS, AND REMONSTRANCES.

By Mr. Sim:

A memorial from Indiana yearly meeting of the religious society of Friends, requesting that immediate steps be taken, according to the method laid down in the Constitution, to change those provisions therein which discriminate between men on account of their color,

and urging the immediate repeal of the law prohibiting the children of negroes from the benefits of the common schools of the State.

Which was read, and,

On motion,

Referred to the Committee on Rights and Privileges of the Inhabitants of the State.

By Mr. Rice:

A memorial from Samuel Magill, Clerk of Park county, and other officers of said county, on the subject of temperance.

Which, on motion, was referred to the Committee on Temperance.

By Mr. Caldwell:

A memorial from the Commissioners of Clinton county, asking the repeal of the "act for the relief of the families of soldiers, seamen and marines," approved March 4, 1865.

Which, on motion, was referred to the Committee on Ways and Means.

By Mr. Newcomb:

A memorial from the Commissioners of Marion county, upon the same subject.

Which, on motion, was referred to the same committee.

By Mr. Henricks:

A memorial from the Commissioners of St. Joseph county, upon the same subject.

Which, on motion, was referred to the same committee.

By Mr. Woods:

A memorial from the Commissioners of Lake county, upon the same subject.

Which, on motion, was referred to the Committee on Ways and Means.

By Mr. Cox:

Several memorials from citizens of Wayne and Vigo counties, on the subject of temperance.

Which, on motion, were referred to the Committee on Temperance.

By Mr. Sim :

A petition from sundry citizens of Wayne county, praying for a change in the law licensing the sale of intoxicating liquors.

Which was referred to the Committee on Temperance.

By Mr. Chambers :

A petition from sundry citizens of Greensboro, Henry county, praying for a change in the law licensing the sale of spirituous and malt liquors.

Which was referred to the Committee on Temperance.

REPORTS OF STANDING COMMITTEES.

Mr. Shuey, from the Committee on Temperance, made the following report:

Mr. Speaker :

The Commttee on Temperance, to whom was referred House bill No. 218, entitled "an act to amend sections 3 and 4 of an act entitled 'an act to regulate and license the sale of spirituous, vinous, malt and other intoxicating liquors, to prohibit the adulteration of liquors, to repeal all former laws contravening the provisions of this act, and prescribing penalties for the violations thereof,' approved March 5, 1859, and prescribing penalties in case of second or subsequent convictions," have had the same under consideration, and have instructed me to report the same back, with the following amendment: After the word "petitioners," in the 65th line of the 1st section, amend by inserting, "in the absence of other sufficient proof," and when so amended, recommend its passage. They also recommend that all pending amendments do lie on the table.

Which, on motion,

Was laid on the table.

Mr. Montgomery, from the Committee on Temperance, made the following report:

Mr. Speaker:

The Committee on Temperance, to whom was referred House bill No. 33, entitled "a bill to amend the eighth section of an act to reg-

ulate and license the sale of spirituous, vinous, malt and other intoxicating liquors, to prohibit the adulteration of liquors, to repeal all laws contravening the provisions of this act, and prescribing penalties for violations thereof, approved March 5, 1859," have had the same under consideration, and have instructed me to report the bill back with the following amendments, and when so amended, recommend its passage.

Amend said bill by striking out in the 6th line of the latter clause, the word "five," and insert the word "ten."

Which, on motion,

Was laid on the table.

BILLS INTRODUCED.

House bill No. 233. A bill entitled "an act to provide for the payment of loss or damage by fire, and for appointing appraisers, defining their duties, and levying a tax to be placed in the Treasury as a part of the General Fund.

Which was read a first time, and, on motion, was laid on the table, and 200 copies ordered to be printed.

Mr. Gregory of Warren introduced,

House bill No. 234. A bill to repeal an act to ascertain the amount of the fees and salaries of the clerks of the Supreme, Circuit and Common Pleas Courts of this State, of the Sheriff of the Supreme Court, and of the various counties in this State, of County Auditors, Treasurers, and Recorders of Circuit and prosecuting attorneys, and to provide punishment for a violation of its provisions, approved June 3d, 1861.

Which was read a first time, and on motion, referred to the Committee on the Judiciary.

By Mr. Rhoads:

House bill No. 235 A bill to provide for the appointment of a commissioner who in conjunction with the various county auditors of the State, shall examine the records of the School Funds held in trust by the counties for the purpose of determining the amount and safety of said funds, and matters properly connected therewith, providing for the salary of the said commissioner, and making county

commissioners and the superintendent of public instruction final referees in cases of disagreement between the said commissioners and county auditors.

Which was read a first time, and, on motion, referred to the Committee on Education.

Mr. Shuey offered the following resolution:

Resolved, That the State Librarian be, and is hereby, authorized to draw from the State Treasury, out of the amount appropriated for Legislative expenses, the sum of five hundred dollars to procure postage stamps to supply members on stationery account.

Which was agreed to.

Mr. Kilgore introduced:

House bill No. 236. A bill to amend section 23 of an act entitled "an act for the incorporation of Insurance Companies, defining their powers, and prescribing their duties, approved June 17, 1852.

Which was read a first time, and on motion, referred to the Committee on the Judiciary.

Mr. Harrison offered the following resolution:

Whereas, On the ———th day of the present session of the General Assembly, the House concurred in and adopted the report of the Committee on Stationery, fixing the amount of stationery that each member and elective officer thereof should be entitled to draw from the State Librarian at $15.00 for each member, and at $10.00 for each elective officer thereof, therefore,

Be it Resolved, That the Librarian be, and he is hereby, directed and required to furnish to the members and the elective officers of the House, the amount of stationery so fixed and allowed to them at the wholesale or jobbing prices charged therefor by the stationery stores of the city of Indianapolis.

Which upon motion, was laid upon the table.

Mr. Brown offered the following resolution:

Resolved, That a committee of five be appointed, whose duty it shall be to inquire into the expediency of establishing by law a

Commission to license Locomotive Engineers and that no person shall act as a Locomotive Engineer nor have charge of any locomotive engine used in drawing any train of cars in this State, unless such person shall first be licensed by said Commission, showing that he is a man of good moral character and fully possessed of all the qualifications requisite for a Locomotive Engineer.

Which was agreed to.

Mr. Cox presented a petition from sundry citizens of the State of Indiana, praying for the repeal of the Black Laws and such legislation as will secure to the colored people the right to testify in courts of justice, and the benefits of the common school system.

Which was referred to the Committee on the Rights and Privileges of the Inhabitants of the State.

Mr. Newcomb moved to suspend the order of business and take up Senate bills on first reading.

Which was agreed to.

Senate bill No. 196. A bill concerning the writ of habeas corpus.

Which was read a first time.

Mr. Newcomb moved that it be deemed expedient to suspend the Constitutional Rule requiring bills to be read on three several days by sections, and read said bill a second time now by its title.

The ayes and noes were taken under the Constitution.

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Bonner, Boyd, Brown, Caldwell Chambers, Church, Collins, Cook, Croan, Crook, Davidson, Ferris, Foulke, Glazebrook, Gleason, Goodman, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Hargrove, Harrison, Hershey, Hogate, Hoover, Humphreys, Hunt, James, Johnson, Lee, Lemon, Litson, Lockhart, Major, Milroy, Montgomery, McVey, Newcomb, O'Brien, Olleman, Osborn, Patterson, Perigo, Pinney, Prather, Reese, Rhoads, Rice, Richards, Richardson, Riford, Roach, Shoaff of Allen, Sim, Stuart, Stringer, Stuckey, Sullivan of Scott, Thatcher, Trusler, Upson, Veach, Weikel, Welch, White, Wright, Woods and Mr. Speaker—73.

So it was deemed expedient to suspend said Constitutional Rule, and Senate bill No. 196 was read a second time by its title.

Mr. Buskirk moved that it be deemed expedient to suspend the Constitutional Rule requiring bills to be read on three several days and that said bill be read a third time now.

The ayes and noes were taken under the Constitution.

Those who voted in the affirmative were,

Messrs. Allen, Atkinson, Boyd, Brown, Burnes, Burton, Burwell, Buskirk, Caldwell, Church, Collins, Cook, Cox, Croan, Crook, Davidson, Ferris, Foulke, Glazebrook, Gleason, Goodman, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Hargrove, Harrison, Hershey, Hogate, Howard, Humphreys, Hunt, James, Johnson, Lane, Lee, Lemon, Litson, Lockhart, Major, Milroy, Montgomery, McVey, Newcomb, O'Brien, Olleman, Osborn, Patterson, Perigo, Pinney, Prather, Reese, Rhoads, Rice, Richards, Richardson, Riford, Roach, Sabin, Shoaff of Allen, Shuey, Sim, Stuart, Stringer Stuckey, Thatcher, Trusler, Upson, Veach, Weikel, Welch, White, Woodruff, Wright, Woods, Zeigler and Mr. Speaker—79.

So it was deemed expedient to suspend said Constitutional Rule, and Senate bill No. 196 was read a third time.

And the question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Borner, Boyd, Brown, Burnes, Burton, Burwell, Buskirk, Caldwell, Chambers. Church, Coffroth, Cook, Croan, Crook, Davidson, Ferris, Foulke, Glazebrook, Gleason Goodman, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Hargrove, Harrison, Hershey, Higgins, Hogate, Hoover, Howard, Humphreys, Hunt, James, Johnson, Lane, Lasselle, Lee, Lemon, Litson, Lockhart, Lopp, Major, Milroy, Montgomery, McVey, Newcomb, O'Brien, Olleman, Osborn, Patterterson, Perigo, Pinney, Prather, Reese, Rhoads, Rice, Richards, Richardson, Riford, Roach, Sabin, Shoaff of Allen, Shuey, Sim, Stuart, Stringer, Stuckey, Thatcher, Upson, Veach, Weikel, Welch, Wright, Woods, Zeigler and Mr. Speaker—80.

Those who voted in the negative were,

Messrs. Collins—1.

So the bill passed.

The question being, shall the title, as reported, stand as the title to said bill?

It was so agreed to.

Mr. Coffroth moved to reconsider the vote whereby the title to Senate bill No. 196 was passed.

Which was agreed to.

On motion by Mr. Coffroth,

Said bill was referred to the Committee on the Judiciary, with instructions to amend the title to said bill.

Mr. Hogate moved that so much of the Governor's message, of yesterday, as refers to the establishment of an Agricultural College, be referred to the Committee on Agriculture.

Mr. Gregory of Warren, moved to refer the same to the Committee on Education.

Mr. Chambers moved that the same be referred to a select committee of one from each Congressional District.

The question being on referring the same to the Committee on Education,

It was not agreed to.

The question next being on referring to the Committee on Agriculture.

It was not agreed to.

The same was then referred to a Select Committee of one from each Congressional District.

Mr. Boyd offered the following resolution:

Whereas, We have no printed lists of the standing committees of this House for the use of members, therefore,

Resolved, That the State Printer be instructed to print 200 copies of said standing committees in conjunction with the rules ordered to be printed a few days ago.

Which was agreed to.

HOUSE BILLS ON SECOND READING.

House bill No, 208. A bill to amend the first and tenth sections of an act to provide for a general system of common schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of Township Libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed, approved March 6, 1865.

Was read a second time.

Mr. Newcomb moved to refer said bill to the Committee on Ways and Means, with instructions to inquire into the expediency of so amending said bill as to reduce the rate of taxation.

Mr. Olleman moved to refer said bill to the Committee on Education.

Mr. Rhoads moved to lay the motion made by Mr. Newcomb on the table.

Messrs. Groves and Brown demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Atkinson, Bonner, Burnes, Burwell, Chambers, Cook, Cox, Croan, Foulke, Glazebrook, Gleason, Gregory of Warren, Hamrick, McVey, Olleman, Reese, Rhoads, Rice, Riford, Shuey, Sim, Stuart and Stuckey—22.

Those who voted in the negative were,

Messrs. Abbett, Brown, Burton, Buskirk, Caldwell Coffroth, Collins, Crook, Davidson, Ferris, Goodman, Gregory of Montgomery, Griffith, Groves, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, Humphreys, Hunt, James, Johnson, Lane, Lasselle, Lee, Lemon, Lockhart, Lopp, Major, Milroy, Montgomery Newcomb, O'Brien, Osborn, Perigo, Pinney, Prather, Richards, Rich

ardson, Roach, Sabin, Shoaff of Allen, Stringer, Sullivan of Scott, Thatcher, Upson, Veach, Weikel, Welch, White, Wright, Woods and Zeigler—58,

So the motion to refer was not laid on the table.

The question being on referring said bill to the Committee on Ways and Means,

Messrs. Rhoads and Griffith demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Abbett, Boyd, Brown, Burnes, Burwell, Buskirk, Coffroth, Collins, Crook, Davidson, Ferris, Goodman, Gregory of Montgomery, Griffith, Groves, Hamrick, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, Lasselle, Lee, Lemon, Lockhart, Lopp, Major, Montgomery, Newcomb, O'Brien, Osborn, Perigo, Pinney, Prather, Richards, Richardson, Sabin, Shoaff of Allen, Stuart, Stringer, Sullivan of Scott, Thatcher, Upson, Weikel, Welch, Wright and Zeigler—52.

Those who voted in the negative were,

Messrs. Atkinson, Bonner, Burton, Chambers, Cook, Cowgill, Cox, Croan, Foulke, Glazebrook, Gleason, Gregory of Warren, Hunt, Miller, Milroy, McVey, Olleman, Reese, Rhoads, Rice, Riford, Shuey, Sim, Stuckey, Veach and Woods—26.

So the motion to refer did prevail.

Message from the Senate, by Mr. Wilson, their Secretary.

Mr. Speaker:

I am directed by the President of the Senate to inform the House that the Senate has passed the following Engrossed bill thereof—to wit:

Engrossed Senate bill No. 210, entitled "an act to revise, simplify and abridge the rules, practice, proceedings and forms in civil cases in the Courts of the State; to abolish distinct forms of action at law, and to provide for the administration of justice, and a uniform mode of pleading and practice, without distinction between law and equity, approved June 15, 1852."

In which the concurrence of the House is respectfully requested.

Mr. Burton, from the Committee on Education, made the following minority report:

MR. SPEAKER:

We, the undersigned, members of the Committee on Education, to whom was referred House bill No. 208, proposing to amend the school law so as to tax negroes and mulattoes for school purposes, and admit colored children into the common schools, beg leave to differ with the majority of the committee and make the following minority report, viz:

In the first place we are opposed to legislating for the negro in any way, because

1st. We believe that our Government was established by white men, for white men and women, and children, and their posterity forever. That if the two races are to live and exist together, the black must and should remain as the government found it, subordinate to the white race. Now that the institution of slavery is broken up, the negroes will of necessity flock to that section, State or country which holds out the greatest inducements. The States refusing to do anything for them, will first of all be relieved of a free colored population, which we hold to be a nuisance to any community of Anglo-Saxons. We desire to rid our State of this degraded, inferior race, rather than invite it hither, which we believe would be the effect of breaking down the barriers and admitting the negroes to our common schools. This barrier removed, but a short time will elapse ere another and still another will be removed, and the political and social equality of the races will be inevitable. Several steps have already been taken in that direction, and this is but another, hence we resist it, as we have all others in the same direction, as we intend to fight over every inch of the ground marked out for the elevation of the negro race in our midst.

L. S. GLAZEBROOK,
JOHN M. STUCKEY,
STEPHEN S. BURTON,
Minority Committee.

Mr. Brown moved that the reports be referred to the Committee on Ways and Means.

Mr. Kilgore moved to lay the motion to refer on the table.

Messrs. Miller and Brown demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Bonner, Boyd, Branham, Burnes, Caldwell, Chambers, Cook, Cowgill, Cox, Ferris, Gleason, Gregory of Montgomery, Gregory of Warren, Hamrick, Henricks, Hershey, Hogate, Hoover Kilgore, Lane, Lockhart, Major, Miller, McVey, Newcomb, Prather, Reese, Rhoads, Riford, Shuey, Sim, Spencer, Trusler and Woods—34

Those who voted in the negative were,

Messrs. Abbett, Atkinson, Brown, Burton, Burwell, Buskirk, Coffroth, Collins, Croan, Davidson, Foulke, Glazebrook, Gregg, Griffith, Groves, Hargrove, Harrison, Higgins, Howard, Humphreys, Hunt, Lasselle, Lee, Lemon, Lopp, Milroy, O'Brien, Olleman, Osborn, Patterson, Perigo, Pinney, Rice, Richards, Richardson Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Stringer, Stuckey Sullivan of Scott, Thatcher, Veach, Weikel, Welch, White, Woodruff, Wright, Zeigler and Mr. Speaker—51.

So the motion did not prevail.

Mr. Higgins moved that Majority and Minority Reports be referred to the Committee on Ways and Means.

Mr. Rhoads moved to lay the motion to refer on the table.

Pending which,

On motion by Mr. Prather,

The House adjourned

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2 o'clock, p. m.

The House met.

Mr. Coffroth moved that when the House adjourn it meet again at 2 o'clock P. M., on to-morrow.

Which was agreed to.

Messrs. Major and Montgomery were granted leave of absence on account of sickness.

Mr. Newcomb, from the Committee on the Judiciary, made the following report:

MR. SPEAKER:

The Committee on the Judiciary, to whom was referred Senate bill 196, entitled "an act cencerning the writ of habeas corpus, have had the same under consideration, and report the same back with the following recommendations:

1st. That the vote on the passage of the bill be reconsidered, and that it be amended by adding the emergency clause herewith reported.

2d. Amend by striking out the title of the bill as it now stands, and inserting the following title:

An act to amend the 716th section of an act entitled "an act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the Courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 8, 1862, so as to deprive the Supreme Court, and the Judges thereof, from taking original jurisdiction of writs of habeas corpus, and enlarging the powers and jurisdiction of Circuit and Common Pleas Judges on writs of habeas corpus in certain cases in this act provided and prescribed.

Mr. Newcomb moved to reconsider the vote whereby the House passed Senate bill No. 196.

Which was agreed to.

Mr. Newcomb offered the following amendment:

SEC. —. *Whereas*, an emergency exists for the immediate taking effect of this act, therefore the same shall be in force from and after its passage and publication in "The Indianapolis Daily Journal," and the Indianapolis "Daily Herald."

Mr. Buskirk offered the following amendment:

Provided, That jurisdiction shall not be taken away in cases now pending.

Which was not agreed to.

The question being on the amendment offered by Mr. Newcomb,

It was agreed to.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Bonner, Boyd, Branham, Brown, Burnes, Burton, Burwell, Buskirk, Chambers, Church, Coffroth, Collins, Cook, Cowgill, Cox, Croan, Crook, Davidson, Ferris, Foulke, Grazebrook, Gleason, Goodman, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Humphreys, Hunt, James, Johnson, Lane, Lee, Lemon, Litson, Lockhart, Lopp, Major, Meredith, Miller, Milroy, Newcomb, O'Brien, Osborn, Patterson, Perigo, Pinney, Prather, Rhoads, Rice, Richards, Riford, Richardson, Roach, Sabin, Shoaff of Allen, Sim, Stuart, Stuckey, Sullivan of P. & V., Thatcher, Trusler, Upson, Weikel, Welch, White, Woodruff, Woods, Zeigler and Mr. Speaker—89.

So the bill passed.

The question being, shall the title, as reported, stand as the title to said bill?

It was agreed to.

Ordered, That the Clerk inform the Senate of the passage of said bill.

THE SPECIAL ORDERS OF THE DAY.

The hour having arrived for the special orders of the day, House Joint Resolution No. 1, a Joint Resolution proposing an amendment to the Constitution by striking out the Thirteenth Article thereof,

Was taken up.

Mr. Kilgore moved to suspend the further consideration of said Joint Resolution No. 1, and make it the special order of the day for Thursday morning next, at 10 o'clock.

Which was agreed to.

No. 220. A bill to amend the 14th section of an act entitled "an act to limit the number of Grand Jurors, and to point out the mode of their selection, defining their jurisdiction, and repealing all laws inconsistent therewith," so as to give the Grand Jury convenient jurisdiction with the Courts of Common Pleas, and Justices of the Peace, of misdemeanors, except in cases where the fine cannot exceed three dollars.

Read a second time, and,

On motion of Mr. Buskirk,

Referred to the Committee on the Judiciary.

Message from the Governor, with accompanying documents, by Mr. Jacobs, his Private Secretary.

To the Senate and House of Representatives:

I herewith respectfully transmit to the General Assembly the report of Col. James Blake, Commissioner of the "Soldiers' National Cemetery at Gettysburg, Pennsylvania," appointed as such by the Governor of the State, together with the printed documents referred to in the report, and marked "A," "B," "C" and "D," respectively, and commend the same to your careful consideration. I also transmit herewith a printed pamphlet, entitled, "Soldiers' National Cemetery, at Gettysburg, Pennsylvania," giving the correspondence in relation to the enterprise, which resulted in the incorporation and establishment of this Cemetery. From the documents submitted, it will be seen that the amount originally assessed as the quota of Indiana in defraying the expenses of the undertaking was $4,625 83; in part payment of which, the sum of $1,156 was, on the 1st day of June, 1864, remitted by the Governor to the Treasurer of the Association, leaving a balance of $3,469 80 still due from this State, for which last named sum requisitions have long since been made, but have not been honored, for want of the necessary appropriations to meet the requisitions. Gettysburgh is the only battle-field of the late war in the North, and the remains of some eighty of the heroic soldiers of Indiana have been carefully interred in the National Cemetery which has been established on the ground where they fell in defence of the country.

I respectfully recommend that immediate provision be made for

the payment of the balance of the assessment originally made as th quota of this State, amounting, as before stated, to the sum o $3,469 80.

It will be seen by Col. Blake's report, that owing to the increase price of labor and materials, he estimates that the original assess ment will be insufficient to meet our share of the cost of the under taking, by the sum of some $2,400. Whether an appropriatio should be now made to meet this estimated deficit, is respectfull submitted to the General Assembly, without any recommendation o that branch of the subject.

Col. Blake, with the patriotism and public spirit which has charac terized his long and valuable life, at the request of the Governo without compensation, took upon himself the duties of Commissione for this State, visited Gettysburg, and participated in the proceed ings of the Board of Commissioners in July last, performing th trusts confided to him in the most acceptable manner.

I would be doing injustice to my own feelings did I not thus off cially express the high appreciation in which his services are held.

CONRAD BAKER,

Lieutenant Governor, Acting as Governor.

Mr. Henricks moved that the message be laid on the table, an that part which refers to appropriations, be referred to the Commi tee on Ways and Means.

Which was agreed to.

Message from the Senate by Mr. Wilson their Secretary :

Mr. Speaker :

I am directed by the President of the Senate to inform the Hou that he has signed enrolled act No. 199, of the House of Represe tatives, entitled " an act to provide for the distribution of the inte est on the School, Sinking and Trust Funds of the State, held f the support of common schools, to repeal all laws in conflict ther with and declaring an emergency.

Also, that the President has signed enrolled act No. 202, of t Senate, entitled " an act making specific appropriations from th State Treasury, and that the same has beeen transmitted to t Executive Department for the signature of the Governor.

Mr. Kilgore moved that the House do now adjourn.
Which was not agreed to.

No. 229. A bill entitled "an act to authorize the County Boards of the several counties of this State, to furnish dockets for the Justices of the Peace in their respective counties."
Was read a second time.

Mr. Henricks moved to lay the bill on the table.

Messrs. Griffith and Sullivan of Scott, demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Bonner, Burton, Church, Coffroth, Cowgill, Croan, Davidson, Gleason, Gregg, Gregory of Montgomery, Griffith, Hamrick, Hargrove, Henricks, Higgins, Hogate, Hoover, Howard, Humphreys, James, Kilgore, Lane, Lee, Lemon, Litson, Lockhart, Lopp, Major, McVey, Newcomb, O'Brien, Reese, Riford, Roach, Shuey, Stuart, Trusler, Upson, Weikel, Woodruff and Woods—46.

Those who voted in the negative were,

Messrs. Boyd, Burwell, Buskirk, Caldwell, Cook, Crook, Ferris, Foulke, Glazebrook, Goodman, Gregory of Warren, Harrison, Hershey, Hunt, Johnson, Lasselle, Milroy, Miller, Osborn, Perigo, Pinney, Rhoads, Rice, Richards, Richardson, Sabin, Shoaff of Allen, Shoaff of Jay, Stivers, Stringer, Stuckey, Sullivan of Scott, White, Weikel, Wright, Zeigler and Mr. Speaker—36.

So the bill was laid on the table.

Mr. Rhoads, from the Committee on Enrolled Bills, made the following report:

MR. SPEAKER:

The Joint Committee on Enrolled Bills respectfully report that on Tuesday, November 21, 1865, at 4¼ o'clock P. M., they presented to his Excellency, the Lieutenant Governor of the State, for his signature and approval, House bill No. 199.

On motion by Mr. Kilgore,
The House adjourned till to-morrow at 2 o'clock, P. M.

WEDNESDAY, 2 o'clock, P. M.
November 22, 1865.

The House met pursuant to adjournment.

The Clerk proceeded to read the Journal,

When Mr. Church moved to dispense with the further reading. Which was agreed to.

The Journal was then approved.

The Speaker announced the following special committee on Congressional Apportionment:

On House bill No. 11:

Messrs. Stuart, 4th district, Chairman.
" Patterson, 1st district.
" Lemon, 2d district.
" Buskirk, 3d district.
" Kilgore, 5th district.
" Harrison, 6th district.
" Rice, 7th district.
" Caldwell, 8th district.
" Henricks, 9th district.
" Bird, 10th district.
" Cowgill, 11th district.

On so much of the Governor's message as relates to the grant from Congress, for Agricultural College purposes:

Messrs. Chambers, 5th district, Chairman.
" Sullivan of Scott, 2d district.
" Boyd, 3d district.
" Ferris, 4th district.
" Sullivan of P. & V., 1st district.
" Hogate, 6th district.
" Lane, 7th district.
" Milroy, 8th district.
" Lasselle, 9th district.
" Upson, 10th district.
" Collins, 11th district.

Leave of absence was granted to Mr. Griffith until Tuesday next.

SPECIAL ORDER OF THE DAY.

Mr. Henricks in the Chair.

House bill No. 156 was taken up.

Mr. Brown moved to postpone the same until 2¼ o'clock, to-morrow.

Which was agreed to.

Mr. Coffroth moved that House bills No. 81 and 23 be taken from the table and referred to a special committee.

Which was agreed to.

Mr. Higgins moved to suspend the regular order of business, and take up Senate bills on first reading.

Which was agreed to.

Message from the Governor, by Mr. Jacobs, his Private Secretary:

MR. SPEAKER:

I am directed by the Governor to inform your honorable body that he has approved and signed enrolled House bill No. 199, entitled "an act to provide for the distribution of the interest on the School, Sinking and Trust Funds of this State, held for the support of common schools, to repeal all laws in conflict therewith, and declaring an emergency," and that the same has been deposited in the office of the Secretary of State.

To the Senate, and
House of Representatives:

At the commencement of the present special session, his Excellency, the Governor, in his message, invited your attention to the necessity of the speedy establishment of an Institution in which Indiana soldiers and seamen, disabled by wounds or disease contracted in the service of the United States, shall be cared for and maintained during the continuance of the disabilities under which they are laboring. He also said, in the same connection, that the United States General Hospital at Jeffersonville is one of the most

complete establishments of the kind in the country, and is well adapted to the purposes of a Soldiers' Home, and that he had written to the Secretary of War and Surgeon General for information as to whether the Government would be willing to turn over this Hospital to the State of Indiana to be used in the establishment of such an Institution, should the State desire it, and that the answer when received would be communicated to the General Assembly.

Since the departure of Governor Morton a communication has been received from the office of the Surgeon General, in reply to his letter of inquiry mentioned in his message, in which it is stated that, upon application to that effect by the State of Indiana, the Surgeon General will recommend that the General Hospital at Jeffersonville be turned over to the State authorities, upon the same terms as the Tripler Hospital was turned over to the State of Ohio. A copy of this communication from the Surgeon General's Office is herewith respectfully submitted.

I have no definite information as to the terms upon which Tripler Hospital was turned over to the State of Ohio, but believe that the only terms required was a guarantee on the part of the State that the property donated should be faithfully applied to carry out the object for which it was given.

I have written to the Surgeon General, since the receipt of this communication, for information as to the precise terms upon which Tripler Hospital was donated to the state of Ohio.

If the land upon which the General Hospital at Jeffersonville is situated, comprising, as I am informed, about one hundred and sixty acres, can be procured at a reasonable price, this offer of the Government to turn over the Hospital buildings, with their appurtenances, would seem to afford a solution of the Soldiers' Home question, so far as its location is concerned. Indeed, if such an institution is to be at all provided by the State, or the people, and of this I do not permit myself to doubt, we cannot afford to decline the offer of buildings and improvements of the value of not less than three hundred thousand dollars, adapted to the accomplishment of the very object we have in view, whether the owners of the land will or will not consent to sell it for a reasonable price.

If they refuse thus to sell, the remedy of the State is plain. It is to provide by legislative enactment for the taking of the property, and for the assessment of just compensation, to which the owners

would be entitled under the Constitution. With these suggestions the whole subject is again commended to your careful consideration.

Whenever an anwer is received from the Surgeon General, as to the terms upon which Tripler Hospital was turned over to the State of Ohio, it will be communicated to the General Assembly.

CONRAD BAKER,
Lieut. Gov., acting Gov.

SURGEON GENERAL'S OFFICE,
WASHINGTON, D. C.

HIS EXCELLENCY, O. P. MORTON,
Governor of Indiana.

SIR:—I am instructed to acknowledge the receipt of your communication of the 13th inst., relative to providing a home for the wounded soldiers of Indiana, and to inform you that upon application to that effect, the Surgeon General will recommend that the General Hospital at Jeffersonville, Indiana, be turned over to the State authorities upon the same terms as the Tripler Hospital was turned over to the State of Ohio.

Very respectfully,
Your obedient servant,
(By order of the Surgeon General)
W. C. SPENCER,
Ass't Surg. U. S. Army.

On motion by Mr. Newcomb,
Said message was referred to a Special Committee.

SENATE BILLS ON FIRST READING.

Senate bill No. 47. A bill providing for compensation to parties whose property may be destroyed, or whose persons or property may be injured in consequence of mobs or riots.

Was read a first time, and passed to a second reading,

Engrossed Senate bill No. 93. A bill defining certain felonies, and prescribing punishment therefor.

Was read a first time, and, on motion, was referred to the Committee on the Judiciary.

The Speaker laid before the House a statement of the branch of the Bank of the State of Indiana, located at South Bend.

Which was referred to the Committee on Banks.

Senate bill No. 104. A bill to amend the 2d section of an act entitled "an act to regulate the sale of swamp lands donated by the United States to the State of Indiana, and to provide for the draining and reclaiming thereof, in accordance with the condition of said grant."

Was read a first time, and, on motion, referred to the Committee on Swamp Lands.

Engrossed Senate bill No. 108. A bill to amend the 6th section of an act entitled "an act regulating divorces, nullification of marriages, and decree and order of Court incident thereto, approved May 13, 1852.

Was read a first time, and, on motion, referred to the Committee on the Judiciary.

Engrossed Senate bill No. 114. A bill to amend section 38 of an act entitled "an act to provide for the incorporation of Railroad Companies, approved May 11th, 1852.

Was read a first time, and,

On motion by Mr. Higgins,

Referred to the Committee on Railroads.

The Speaker announced the following Committee on House bills No. 23 and No. 81:

Messrs. Coffroth, Woods and Collins.

Senate bill No. 118. A bill to amend the 23d section of an act to provide for the valuation and assessment of the real and personal property, and the collection of taxes in the State of Indiana, for the election of Township Assessors, and prescribing the duties of Assessors, Appraisers of real property, County Treasurers and Auditors, and of the Treasurer and Auditor of State, approved June 21, 1852.

Was read a first time, and,

On motion by Mr. Woods,

Was referred to the Committee on Ways and Means.

Engrossed Senate bill No. 141. A bill to amend the 2d, 5th and 6th sections of an act entitlod an act concerning the organization of

voluntary associations, and repealing former laws in reference thereto, approved Feb. 12, 1855.

Was read a first time, and referred to the Committee on Corporations.

Senate bill No. 120. A bill empowering District Prosecuting Attorneys to administer oaths in the discharge of their duties.

Was read a first time, and referred to the Committee on Fees and Salaries.

Engrossed Senate bill No. 122. A bill in regard to weights and measures, the custody thereof, and fees for using the same.

Was read a first time, and passed to a second reading.

Senate bill No. 127. A bill to amend sections 37 and 46 of an act entitled "an act dividing the State into counties, defining their boundaries and defining the jurisdiction of such as border on the Ohio and Wabash rivers, approved June 7, 1852, and defining the boundaries of the counties of Jackson and Lawrence.

Was read a first time, and,

On motion of Mr. Boyd,

Was referred to the Committee on the Rights and Privilegesof the Inhabitants of the State.

Engrossed Senate bill No. 145. A bill providing compensation for Judges holding Courts of Common Pleas in certain Cases.

Was read a first time, and,

On motion by Mr. Groves,

Referred to the Committee on the Organization of the Courts of Justice.

Engrossed Senate bill No. 163. A bill touching the laying out of cities and additions thereto, and the making and recording of plats thereof, and legalizing plats of such cities and additions thereto, heretofore made and recorded.

Was read a first time, and referred to the Committee on Corporations.

Engrossed Senate bill No. 210. A bill to amend section 584 of an act entitled "an act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the Courts of this State; to abolish distinct forms of actions at law, and to provide for

the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1852.

Was read a first time, and,

On motion by Mr. Groves,

Was referred to the Committee on the Organization of Courts of Justice.

Engrossed Senate bill No. 31. A bill relating to insurance on life for the benefit of widows and orphans.

Was read a first time, and,

On motion by Mr. Bonner,

Referred to the Committee on the Judiciary.

Senate bill No. 34. A bill to authorize incorporated cities, within this State, to purchase and hold parks, fair grounds and grounds for public use, and to prescribe rules and regulations for the government, control and preservation of the same.

Was read a first time, and, on motion, referred to the Committee on Corporations.

Senate bill No. 50. A bill providing for the redemption of real estate or any interest therein, sold on executian or order of sale, and providing for the issuing of certificates of purchase in such cases, and for the execution of conveyances and repealing all laws in conflict therewith.

Was read a first time, and,

On motion by Mr. Milroy,

Was referred to the Committee on the Judiciary.

Message from the Senate by Mr. Wilson, their Secretary:

MR. SPEAKER:

I am directed by the President of the Senate to inform the House that the Senate has passed the following engrossed bill thereof to-wit:

Engrossed Senate bill No. 199. Entitled "an act to amend an act, to incorporate the Indianapolis Insurance Company," approved February 8, 1836, in which the concurrence of the House is respectfully requested.

Senate bill No. 52. A bill defining the offence of bastardy, prescribing the punishment therefor, and declaring the power and duties of Justices of the Peace therein.

Was read a first time.

Mr. Buskirk moved to refer the bill to the Committee on the Judiciary.

Which was not agreed to.

Mr. Coffroth moved to refer to the Committee on the Rights and Privileges of the Inhabitants of the State.

Which being agreed to, it was so referred.

Senate bill No. 199. A bill to amend "an act to incorporate the Indianapolis Insurance Company," approved February 8, 1836.

Was read a first time, and,

On motion by Mr. Miller,

Was referred to the Committee on Corporations.

Mr. Newcomb moved to suspend the order of business, and take up Senate bill No. 16.

Which was agreed to.

Senate bill No. 16. A bill to amend section 349 of an act entitled "an act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the Courts of this State; to abolish distinct forms of actions at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1852.

Was read a second time.

Mr. Newcomb moved that it be deemed expedient to suspend the Constitutional Rule requiring bills to be read on three several days, and that said bill be read a third time now.

The ayes and noes were taken under the Constitution.

Those who voted in the affirmative were,

Messrs. Atkinson, Bird, Boyd, Burnes, Burton, Buskirk, Chambers, Coffroth, Collins, Cowgill, Croan, Crook, Davidson, Ferris, Foulke, Gleason, Goodman, Gregg, Gregory of Warren, Griffith,

Groves, Hamrick, Hargrove, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, Humphreys, Hunt, James, Johnson, Kilgore, Lane, Lee, Litson, Lockhart, Major, McVey, Newcomb, O'Brien, Osboan, Patterson, Perigo, Pinney, Prather, Reese, Rhoads, Rice, Richards, Richardson, Riford, Roach, Sabin, Shoaff of Allen, Shuey, Sim, Spencer, Stuart, Stuckey, Sullivan of P. & V., Thatcher, Upson, Weikel, Welch, White, Woodruff, Wright, Woods, Zeigler and Mr. Speaker—72.

Those who voted in the negative were,

Messrs. Abbett, Burwell, Caldwell, Gregory of Montgomery, Lasselle, Lemon, Lopp, Miller, Milroy and Stringer—10.

So it was deemed expedient to suspend said Constitutional rule, and said bill was read a third time.

And the question being, shall the bill pass?

Those who voted in the affirmative were,

Mr. Gregory, of Warren, moved the previous question,
Which was seconded by the House.

The question being, shall the main question be now put?

It was so ordered.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Bird, Bonner, Boyd, Burnes, Burton, Buskirk, Church, Coffroth, Collins, Cowgill, Cox, Croan, Crook, Davidson, Ferris, Foulke, Gleason, Goodman, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Hargrove Hershey, Higgins, Hogate, Hoover, Howard, Humphreys, Hunt, James, Johnson, Kilgore, Lane, Lemon, Litson, Lockhart, Lopp, Major, Milroy, McVey, Newcomb, O'Brien, Perigo, Pinney, Prather, Rhoads, Rice, Richards, Richardson, Riford, Roach, Sabin, Shoaff of Allen, Shuey, Spencer, Stuart, Stuckey, Sullivan of P. & V., Veach, Weikel, Welch, White, Woodruff, Wright, Woode, Zeigler and Mr. Speaker —71.

Those who voted in the negative were,

Messrs. Burwell, Caldwell, Henricks, Lasselle, Lee, Meredith Miller, Osborn, Reese, Stringer, Sullivan of Scott, Trusler, and Upson—12.

So the bill passed.

The question being, shall the title, as reported, stand as the title of said bill?

It was agreed to.

Ordered That the Clerk inform the Senate of the passage of said bill.

HOUSE BILLS ON SECOND READING.

House bill No. 231. To protect lawful public notices, and prescribing penalties for injuries thereto.

Was read a second time, ordered to be engrossed, and passed to a third reading.

House bill No. 232. A bill limiting the amount of passenger fare on Railroads, and providing penalties for the violation of the act.

Was read a second time, and, on motion, referred to the Committee on Railroads.

House bill No. 218. A bill to amend section 374 of an act entitled "an act to regulate and license the sale of spirituous, vinous, malt, and other intoxicating liquors, to prohibit the adulteration of liquors, to repeal all former laws contravening the provisions of this act, and prescribing penalties for the violation thereof," approved March 5, 1859, and prescribing penalties in case of a second or subsequent conviction.

Was read a second time.

The question being on the amendments, as reported by the Committee,

Mr. Rhoads offered the following amendment:

In section 1, 61st line, strike out the words "at least half the legal

voters," and insert, "a majority of the inhabitants exceeding fourteen years old."

Mr. Brown moved to lay the amendment on the table.

Which was agreed to.

Mr. Brown offered the following amendment:

Amend by striking out the word "white," in the — line.

Mr. Coffroth moved to lay the amendment on the table.

On which motion, Messrs, Brown and Groves demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Bonner, Boyd, Bird, Brown, Burnes, Burton, Burwell, Buskirk, Caldwell, Coffroth, Collins, Cowgill, Croan, Crook, Davidson, Ferris, Foulke, Goodman, Gregg, Gregory of Montgomery, Griffith, Groves, Hargrove, Henricks, Higgins, Howard, Humphreys, Hunt, James, Johnson, Lasselle, Lemon, Lockhart, Lopp, Major, Milroy, Osborn, Perigo, Pinney, Prather, Rice, Richardson, Richards, Roach, Sabin, Shoaff of Allen, Shuey, Spencer, Stuckey, Sullivan of Scott, Sullivan of P. & V., Veach, Weikel, Welch, Wright and Zeigler—58.

Those who voted in the negative were,

Messrs. Church, Cox, Gregory of Warren, Hamrick, Hershey, Hogate, Hoover, Kilgore, Lane, Lee, Litson, Newcomb, Reese, Rhoads, Riford, Sim, Stuart, Stringer, Trusler, Upson, Woodruff, Woods and Mr. Speaker—25.

So the amendment was laid on the table.

Mr. Lane offered the following amendment:

Amend by striking out all that relates to Towns.

Pending which,

The Speaker, by unanimous consent, on behalf of the Special Committee heretofore appointed on House bill No. 156, submitted the following report:

MR. SPEAKER:

The Select Committee, to whom was reported House bill No. 156, have directed me to report the same back with accompanying amendments, and recommend its passage:

Amend the first section by adding, at the end, the following:

Provided, however, that if, after filing the proper application with the State Agent hereinafter named, it shall be necessary, in order to perfect the same and obtain the proper payment, to supply additional or supplemental evidence, notice of the same being required, having first been given by said State Agent, or the Commissioner of Pensions, or the Second Auditor of the Treasury, then, for all such additional or supplemental evidence, so furnished complete and transmitted, the Clerk, in such case, shall receive the sum of one dollar, in addition to said sum of two dollars, and as above provided, and no more.

After the fifth section, insert the following:

It shall be the duty of the Clerks of such Circuit Courts, in all cases, whenever it shall be necessary, to obtain documentary or other evidence outside the State, in order to perfect such applications and obtain proper payment, to cause the same to be obtained from the proper office by correspondence, or in such other manner as he may deem best, to insure it without unreasonable delay, himself paying the expenses which shall be incurred in obtaining the same, which shall then, at once, be repaid him by the proper county Treasurer, out of the general fund, on his stated account therefor.

Strike out the 8th section, and insert the following:

The postage and other necessary expenses of obtaining and perfecting such applications and the transmission thereof, except as above provided for, shall be allowed to the Clerks of the several Circuit Courts, by the proper Boards of Commissioners, out of the proper Treasuries of their counties, on the certificates of such Clerks, properly sworn to and filed with such Commissioners, at any regular term of said Boards.

Strike out the word "and," in the 7th line of the 9th section, and insert "or."

Insert, after the 9th section, the following:

It shall be the duty of the said several Clerks of the Circuit Courts of this State, in all cases where pension certificates have first been granted, and when required by any person or persons interested therein, to prepare the proper applications for receiving the sum due thereon, to the proper pension agent or persons authorized to pay the same, to administer the necessary oaths, and take the acknowldgement thereof and authenticate the same, to transmit the same, when so prepared and authenticated, to the proper pension agent or person authorized to pay the same, and receive the amount due thereon, and deliver the same, on request, to the person entitled thereto under such pension, or his or her representative or assignee; and for each such service, when done, the said Clerk shall be enlitled to receive the sum of fifty cents, and no more.

In all the cases arising under the provisions of this act, it shall be the duty of the Clerks of the several Circuit Courts of this State, to inform the party, or parties, interested therein, in some certain and expeditious manner, of the requirement for another application, or additional or supplemental evidence, when the same shall be required or, when notified thereof, of the grant of half-pay, back pay, bounty pension or pension money, as the case may be.

Insert after the 10th section the following:

It is hereby further provided that there shall be appointed by the Governor a general State agent for Military Claims, who shall reside at Indianapolis, and whose office shall continue until the first day of January, 1867, and no longer, at a compensation of one hundred and fifty dollars per month, who shall first take a proper oath of office, which shall be filed in the office of the Secretary of State and whose duty it shall be, when so qualified, upon the requirement of the Clerks of the several Circuit Courts, to obtain the necessary information from the public offices of the State, as the case may be to sustain all such claims on account of military services of soldiers of this State in the war for the suppression of the rebellion, to obtain the proper authentication of the same, and, as shall be most proper, return the same to said Clerks, or forward the same to the State Agent, or to the proper department at Washington, and generally to do every thing that shall promote a certain and expeditious allowance and payment of all such claims as are provided for in this

ıct. And it shall be the further duty of said General State Agent 'or Military Claims, to do and perform, when required, all and each)f the duties herein imposed on the Clerks of the several Circuit Courts; but for the services so rendered no compensation whatever hall be demanded or received. And for the expenses of postage, tationery, clerk hire and rents, incurred in pursuance of this act, he hall be paid quarterly out of the State Treasury, on his stated ccount on oath, filed with the State Auditor.

Insert after the 11th section the following:

By reason of the multiplicity of such claims not yet applied for r allowed, it is hereby declared that an emergency exists, and that his act shall take effect from and after its passage. And the Secre- ıry of State is directed to cause the same to be published, and opies thereof sent to the Clerks and Auditors of the several coun- es of this State.

Amend the title by inserting after the word "pensions," the)llowing:

"Receiving and delivering certificates of back pay, bounty, half ay, pensions and pension money."

Amend the title further, by inserting after the word "represent," ıe following:

"And receive."

Leave of absence was granted to Messrs. Olleman and Stivers on :count of sickness.

On motion by Mr. Goodman,
The House adjourned.

THURSDAY MORNING, 9 o'clock.
November 23, 1865.

The House met pursuant to adjournment.

The Speaker ordered a call of the House, when the following members answered to their names:

Messrs. Abbett, Atkinson, Boyd, Burnes, Caldwell, Chamber Church, Collins, Cox, Cowgill, Croan, Crook, Davidson, Ferris, Foulke, Glazebrook, Gleason Goodman, Gregg, Gregory of Warren Griffith, Groves, Hamrick, Hargrove, Hershey, Higgins, Hoover Howard, Humphreys, Hunt, James, Kilgore, Lane, Lee, Lockhart Meredith, Miller, McVey, O'Brien, Osborn, Patterson, Perigo, Pra ther, Reese, Rice, Richards, Richardson, Riford, Sabin, Shoaff o Allen, Shuey, Spencer Stuart, Stuckey, Sullivan of Scott, Sullivai of P. & V., Trusler, Upson, Veach, Weikel, Welch, White, Woodruff Wright, Woods, Zeigler and Mr. Speaker—68.

There being a quorum present, the further call was dispense with.

The Clerk proceeded to read the Journal, when,
On motion by Mr. Shuey,
the further reading thereof was dispensed with.

The Journal, as reported by the Clerk, was then approved.

Message from His Excellency the Governor, by his Private Secr tary, Mr. Jacobs.

To the Senate and
House of Representatives:

I beg leave to respectfully call your attention to the propriety passing a Joint Resolution, asking Congress to make a donation lands to the company incorporated under the laws of this State construct a harbor at Michigan City.

Some forty years ago there was cut off from the Territory of Mich gan a strip of land ten miles in width, which was added to the Sta of Indiana, for the purpose of affording her a lake harbor. For t purpose of constructing a harbor at Michigan City, the Governme made appropriations, extending through a series of years, amounting

the aggregate to about $135,000, but these were given in such small sums, and at intervals so distant from each other, as to render them comparatively ineffectual; yet, with all these drawbacks, a harbor was made, which, for some years, gave to our State quite an amount of shipping. On the completion of the Michigan Central Railroad, the harbor at Michigan City was abandoned by the Government, and for want of repairs, and being exposed to the storms of the lake, the upper works which had been erected, were gradually loosened and fell, and the sand drifting across the cribs, finally choked up the mouth of the creek, and the harbor became inaccessible to any but small fishing vessels.

Citizens of Indiana, convinced that the State should have a port on our great inland seas as well as Ohio and Illinois, formed a Company under the laws of the State, for the purpose of rebuilding this harbor. To this Company, Congress ceded all the Government work that remained, and gave permission for the work to be prosecuted as had already been successfully done by a Company at Milwaukee, under a like cession by the Government. The Michigan City Harbor Company are thoroughly organized, and already stock has been subscribed to the enterprise, amounting to $135,000; and assurances have been received by the Company that the L. N. A. & C. R. R. Company will take stock to the amount of $100,000 as soon as it is ascertained that the balance necessary to complete the work can be procured.

Competent engineers employed to examine the work, have estimated that the entire amount required to complete the work and secure to our State a permanent lake harbor, will not exceed $300,000.

On the benefits to be derived by our State from the establishment of a port of entry and departure on its northern borders, it is difficult to place too high an estimate. In the transportation of wheat from points north of the Wabash, fifteen cents per bushel will be saved the producer, that being the difference between railroad and lake transportation. Salt from Saginaw, which is extensively used by our packers, with this harbor completed, could be delivered at Michigan City as cheaply as at Chicago, thereby resulting in an immense saving to the people of Indiana who reside north of the Wabash. The iron mines of Lake Superior, too, would be opened to our State, and in view of our coal beds and the vast quantities of bog ore which is so valuable when mixed with the Lake Superior iron, the proprietors of mines on Lake Superior would erect blast furnaces and rolling mills in Indiana, shipping their crude ore to this

State for that purpose, and therefore furnish a market for the coal and iron deposits of our State. There would also be a saving of some forty per cent. on pine lumber, as it could be delivered at Michigan City at the same rates as at Chicago. The limits of this communication would not permit an enumeration of all the advantages to result to the State from the construction of a harbor on its northern border; a few of them, only, have been alluded to.

In asking Congress to grant to the Company a donation of lands to aid in the construction of the harbor, the General Assembly would only be soliciting that numerous precedents furnished by land appropriations in aid of other public works, should be followed. I respectfully recommend the passage of a joint resolution, requesting Congress to make a donation of lands to aid in the completion of the work.

CONRAD BAKER,

Lieut. Governor, acting Governor.

On motion by Mr. Higgins,

The message was referred to a select committee of five.

Which was agreed to.

PETITIONS, MEMORIALS, AND REMONSTRANCES.

By Mr. Crook:

A petition from citizens of Washington County, on the subject of Temperance.

Which, on motion,

Was referred to the Committee on Temperance.

By Mr. Boyd:

Several memorials from different parts of the State, asking for a law curtailing the hours of labor from ten, to eight hours per day.

Which, on motion,

Was referred to the Committee on Agriculture.

By Mr. Burwell:

A memorial from the Commissioners of Wells County, asking for

a modification of the law for the relief of the families of soldiers, seamen, marines, &c.

Which, on motion,

Was referred to the Committee on Ways and Means.

By Mr. Johnson:

A memorial from the Commissioners of Jasper County, on the same subject.

Which was referred to the Committee on Ways ans Means.

By Mr. Meredith:

A memorial on the same subject from the Commissioners of Vigo County.

Which was referred to the Committee on Ways and Means.

By Mr. Woods:

A memorial from sundry citizens of Lake County, on the subject of Temperance.

Which was referred to the Committee on Temperance.

By Mr. Meredith:

A memorial from sundry citizens of Terre Haute, Ind., on the same subject.

Which was referred to the Committee on Temperance.

By Mr. Rice:

A memorial from sundry citizens of the State, praying the repeal of the Black Laws.

Which, on motion,

Was referred to the Committee on the Rights and Privileges of the Inhabitants of the State.

By Mr. Burton:

A memorial from Nathan Brown, claiming to have discovered the cause of the disease known as "Milk Sick," and asking compensation therefor.

On motion by Mr. Burton,

It was referred to a Select Committee of five.

By Mr. Glazebrook:

Several memorials from the County of Marshall on the subject of Temperance.

Which were referred to the Committee on Temperance.

By Mr. James:

Several memorials from the County of Grant, on the subject of Temperance.

Which was referred to the same committee.

By Mr. Groves:

A memorial from the Commissioners of Vermillion County, in reference to the relief of soldiers' families.

Which, on motion,
Was referred to the Committee on Ways and Means.

REPORTS FROM STANDING COMMITTEES.

Mr. Miller, from the Committee on Ways and Means, made the following report:

Mr. Speaker:

The Committee on Ways and Means, to whom was referred House bill No. 213, have had the same under consideration, and direct me to report the same back to the House with the following amendments, and when so amended, recommend its passage:

Amend the title by striking out the word "section," in the second line. Strike out all after the words, "such purpose," in the twelfth line, and insert, "or prescribes the duty of any officer for the year eighteen hundred and sixty-six, or requires the tax for the year eighteen hundred and sixty-six to be paid into the State Treasury, and providing for the disposition of the taxes raised under said act for the year eighteen hundred and sixty-five, and declaring an emergency for the immediate taking effect of this act." Strike out all after enacting clause, and insert—"That all that portion of said act which levies a tax for the year eighteen hundred and sixty-six, or prescribes the duties of any officer for said year eighteen hundred and sixty-six, or requires any portion of the tax for the year eighteen hundred and sixty-five, to be paid over by the County Treasurers to the State Treasurer, be, and the same is hereby, repealed.

2d. The Treasurers of the several counties shall pay over to the State Treasurer seven per cent. of all the tax levied and col-

lected for the year eighteen hundred and sixty-five, under said act for sanitary purposes, or the payment of any claim against the Sanitary Commission of the State of Indiana, to be applied as the Governor may direct, and all the balance or residue of said tax after the payment of the claims arising under said act to the persons entitled thereto, residing in the counties where collected for the year eighteen hundred and sixty-five, shall go into the general county fund of the several counties where collected, and should there be an insufficient amount in any of the counties to pay all the claimants under said act for said year 1865, then the whole amount collected in said counties shall be divided pro rata among the claimants, according to their several claims.

Whereas, An emergency exists for the immediate taking effect of this act, it shall therefore be in force from and after its passage.

On motion,

The report was laid on the table.

Mr. Trusler, from the Committee on the Judiciary, made the following report:

Mr. Speaker:

The Judiciary Committee, to whom was referred House bill No. 169, respectfully report that they have had said bill under consideration, and recommend that it be indefinitely postponed.

The report was concurred in, and House bill No. 169 indefinitely postponed.

Mr. Kilgore, from the Judiciary Committee, made the following report:

Mr. Speaker:

The Judiciary Committee, to whom was referred House bill No. 91, respectfully report that they have had the same under consideration, and, in their opinion, further legislation on the subject being unnecessary, recommend that said bill be indefinitely postponed.

House bill No. 91. A bill to authorize the discharge of Bonds, Executors and Guardians, upon application to sell real estate.

On motion,
The report was laid on the table.

Mr. Rice, from the Judiciary Committee, made the following report:

Mr. Speaker:

The Judiciary Committee, to whom was referred House bill No. 166, respectfully report that they have had the same under consideration, and recommend its indefinite postponement.

House bill No. 166. A bill to amend the one hundred and forty-eighth section of an act entitled "an act providing for the settlement of decedents' estates, prescribing the rights, liabilities and duties of officers connected with the management thereof, and the heirs thereto, and certain forms to be used in such settlements, approved June 17, 1852."

The recommendation of the Committee was concurred in, and the bill indefinitely postponed.

Mr. Rice, from the Committee on the Judiciary, made the following report:

Mr. Speaker:

The Judiciary Committee, to whom was referred House bill No. 157, respectfully report that they have had the same under consideration, and recommend that said bill be indefinitely postponed.

Mr. Lasselle moved to refer said bill and report to a special committee of three, and to report to-morrow morning.
Which was agreed to.

Mr. Spencer moved to reconsider the vote whereby House bill No. 166 was indefinitely postponed.

Mr. Brown moved that the motion to reconsider be laid on the table.
Which was agreed to.

The Speaker announced the following Select Committee:

Committee on House bill No. 157:—Messrs. Lasselle, Miller and Humphreys.

Mr. Sim offered the following resolution:

Resolved, As the opinion of this Legislature that one of the greatest dangers impending on the country arises from the general tendency to the centralization of power, and the consolidation of wealth in the hands of large corporations wholly irresponsible to the people.

Resolved, That such tendency is daily illustrated among us in the management of Railroad Corporations throughout the country, which, combining and confederating together, have advanced rates to such an extent as to be extortionate upon the traveling and trading community.

Resolved, That it is the duty of the present Legislature to take immediate measures to protect the public from the combinations, consolidations and extortions of the different Railroad Companies of the State, and to that end they should fix a reasonable tariff of charges for all roads, and compel them to receive and transport freight in the order it may be offered, and without favoritism of any kind; and in default thereof their charters shall be declared forfeited to the use of the State.

On motion by Mr. Sim,
The foregoing was referred to the Committee on Railroads.

Mr. Woods moved to reconsider the vote just taken.
Which was not agreed to.

Mr. Griffith asked leave of absence for the Committee on State Prison North, from Tuesday until Thursday of next week.

Mr. Brown moved to lay the application on the table.
Which was agreed to.

So leave was not granted.

The Speaker announced the following Select Committee on the memorial of Nathan Brown:

Messrs. Branham, Sullivan of Scott, Woods, Miller and Burton.

Mr. Kilgore moved to reconsider the vote whereby leave of absence was not granted the Prison Committee North.

Mr. Church moved to lay the motion on the table.

Messrs. Kilgore and Lasselle demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Bonner, Boyd, Brown, Caldwell, Church, Cook, Cowgill, Cox, Crook, Davidson, Ferris, Glazebrook, Gleason, Groves, Hamrick, Hargrove, Henricks, Hershey, Hoover, Humphreys, Hunt, James, Johnson, Lane, Lee, Lemon, Lockhart, Lopp, Meredith, McVey, Newcomb, O'Brien, Olleman, Osborn, Perigo, Pinney, Prather, Rhoads, Richardson, Riford, Sabin, Shuey, Stuart, Sullivan of Scott, Sullivan of P. & V., Weikel, Welch, Woods and Mr. Speaker—51.

Those who voted in the negative were,

Messrs. Bird, Burnes, Burton, Burwell, Chambers, Coffroth, Goodman, Gregg, Griffith, Harrison, Higgins, Hogate, Howard, Kilgore, Lasselle, Litson, Miller, Milroy, Patterson, Reese, Rice, Richards, Shoaff of Allen, Sim, Spencer, Stringer, Stuckey, Thatcher, Trusler, Upson, Veach, White, Woodruff and Wright—34.

To the motion did prevail.

The Speaker laid before the House the following communication:

To the Speaker and members of the House of Representatives:

GENTLEMEN: Having been tendered the position of Cashier and Book Keeper for a Wholesale Jobbing House in the city of Richmond, Indiana, and that I may accept the same, I hereby tender to your honorable body my resignation as Assistant Clerk to take effect (to-morrow) Friday, the 24th inst.

T. W. O. BRAFFETT,

Assistant Clerk.

Message from the Senate by Mr. Wilson, their Secretary:

MR. SPEAKER:

I am directed by the President of the Senate to inform the House

that the Senate has passed the following engrossed bill thereof, to-wit:

Engrossed Senate bill No. 198. Entitled "an act repealing an act for the relief of the families of soldiers, seamen and marines, and sick and wounded Indiana soldiers in hospitals in the State and United States service, and of those who have died or been disabled in such service, and prescribing the duties of certain officers therein named," approved March 4, 1865, and providing for the collection and disposition of the taxes levied in pursuance thereof, for the year 1865, and providing when the same shall take effect, in which the concurrence of the House is respectfully requested.

Message from the Governor by his Private Secretary Mr. Jacobs:

To the Senate and
House of Representatives:

I herewith respectfully transmit a communication from the Treasurer, Auditor and Secretary of State, and the Clerk of the Supreme Court in relation to the exposed condition of the public records, archives and papers of the State, especially as pertaining to the offices of the Auditor, Treasurer and Secretary of State. In view of the inevitable burthens in the shape of taxation, which must be borne by the public for some years to come, I would gladly avoid, if a sense of duty would permit, any suggestion, the effect of which might be to increase the levy for State purposes. But when the extreme danger of destruction to which the public records are nowexposed, and the fact that the rents now paid for rooms and offices would, in a few years, procure safe depositories, and the additional fact that the value of these records cannot be estimated in dollars and cents, are all considered, sound economy, as well as duty to the public, would seem to require that some action should speedily be taken to avoid so great a calamity as the destruction of the archives of the State would be. It will be seen by the communication before referred to, and herewith transmitted, that the State officers suggest two plans for finding offices, without expressing a preference for either. One of these plans is to purchase the banking House at the intersection of Illinois street and Kentucky ave-

nue; the other to build new offices on the grounds owned by the State, immediately north of the State House. I have given the subject some consideration, and, in my judgment, safety, economy and good policy, would dictate the purchase of the building before mentioned, if it can be procured on reasonable terms.

The considerations in favor are that, without any addition thereto, it is believed the building can be made to accommodate the Auditor, Treasurer and Secretary, of State, on the first floor, and furnish a room for each of the Judges of the Supreme Court, and an audience room for their consultations and for the hearing of oral arguments, on the second floor. It also contains two superior vaults, in which the more valuable of the public records can be be kept. It is isolated and comparatively free from exposure to fire, possessing a metalic roof, and, in view of its position, might almost be considered as fire-proof. By its purchase the public records could at once be removed to a place of security, the payment of rents for rooms and offices would at once cease, and the General Assemhly would, at the outset, know the whole amount necessary to be expended to accomplish the object. Besides all this, if the lot and building should be purchased at a fair price, and the State should hereafter not need the same, there is not even a remote probability that the property could not at any future time be sold for its original cost. If, however, on the other hand, the plan of building offices should be adopted, the building would not probably be completed short of a year from this time, during which rents would continue to be paid, and the public records would continue to be exposed to destruction. The expenditues, also, would doubtless be much greater than would be required to purchase the building before alluded to; and whatever the estimates might be, the ultimate actual cost of the building would be a matter of conjecture, and would never be ascertained until the work was completed.

At my request, a diagram has been prepared, showing the number and situation of the rooms and vaults of the bank building before mentioned, and also the size and shape of the lot upon which it is situated, which diagram is herewith respectfully submitted. In view of the whole subject I earnestly recommend that a Joint Committee of both Houses be at once appointed to visit and inspect the offices of the Auditor, Treasurer and Secretary of State, and their surroundings, to inquire into the amount of rents paid by these officers and by the Judges of the Supreme Court for their chambers, and to consider the suggestions of the State officers contained in the com-

munication herewith submitted, with instructions to the committee to report at an early day in favor of such action as all the circumstances and the public interest may require.

CONRAD BAKER,
Lieutenant Governor, acting as Governor.

To the Senate and House of Representatives:

GENTLEMEN: We respectfully, but most earnestly, ask the early attention of your honorable bodies to the dangerous and exposed condition of the public archives, records and papers of the State and urge upon you the speedy adoption of measures for their safety and preservation.

The offices of Secretary, Auditor and Treasurer of State, surrounded as they are, by business houses, mechanic shops, and with the numerous occupants of the upper stories of the building, could not, if a fire should break out, be saved from almost total destruction. Any one who will take a survey of the premises and the surroundings, must be forcibly impressed with the impending danger.

Some safe and convenient building should be provided at once for these offices, as also for the Superintendent of Public Instruction, Judge of the Supreme Court, &c.

Several plans have been suggested, among which may be mentioned the following:

The purchase of the State Bank building, at the intersection of Illinois street and Kentucky avenue, which, by an addition of 40 or 50 feet at the south end, could be made to answer fully the purpose.

Another plan is its purchase for the use of the three officers first named, for which its present condition, with its vaults, &c., is probably entirely adequate. The upper story could probably be modified so as to afford rooms for the officers other named.

It has been proposed to erect, on the half square north of the State House (now occupied temporarily for barracks), a substantial two story brick building, of sufficient size to afford offices for all the state officers, and a room for the Supreme Court. This would be isolated, safe and convenient, and its cost would not exceed what would otherwise have to be paid for rents in a few years. An important consideration in such a building would be the fact of its affording, if properly constructed, rooms for all the officers of State

during the erection of a State House, which, it must be admitted by all, cannot be deferred many years, and which, when begun, will require two or three years for completion.

It is respectfully suggested that the subject be referred to a Committee of your honorable bodies for investigation, and for such remedy as the dangerous condition of affairs may seem to demand,

JOHN I. MORRISON, *Treasurer of State.*
NELSON TRUSLER, *Secretary of State.*
T. B. M'CARTY, *Auditor of State.*
LAZ. NOBLE, *Clerk of Supreme Court.*

Mr. Miller being in the chair,

SPECIAL ORDERS FOR THE DAY,

Were called for.

House Joint Resolution No. 1. A Joint Resolution proposing an amendment to the Constitution by striking out the 13th article thereof,

Was taken up,

Mr. Newcomb moved that the further consideration of said Resolution be postponed till 7 o'clock this evening.

Which was not agreed to.

Mr. Rhoads moved the previous question.

Messrs. Lockhart and Brown demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Boyd, Chambers, Cook, Crook, Davidson, Gregory of Montgomery, Gregory of Warren, Higgins, Hoover, James, Lane, Litson, Lockhart, Miller, Reese, Rhoads and Stringer—17.

Those who voted in the negative were,

Messrs. Abbett, Atkinson, Bird, Bonner, Brown, Burnes, Burton, Burwell, Buskirk, Church, Coffroth, Collins, Cowgill, Cox, Croan, Ferris, Foulke, Glazebrook, Gleason, Goodman, Gregg, Griffith, Groves, Hamrick, Hargrove, Harrison, Henricks, Hershey, Hogate, Howard, Humphreys, Hunt, Johnson, Kilgore, Lasselle, Lee, Lemon,

Lopp, Meredith, Milroy, McVey, Newcomb, O'Brien, Olleman, Osborn, Patterson, Perigo, Pinney, Prather, Rice, Richards, Richardson, Riford, Roach, Sabin, Shoaff of Allen, Shuey, Sim, Spencer, Stuart, Stuckey, Sullivan of Scott, Sullivan of P. & V., Thatcher, Trusler, Upson, Veach, Weikel, Welch, White, Woodruff and Wright —72.

So the motion for the previous question was not seconded.

Mr. Church, by unanimous consent, offered the following resolution:

Resolved, That Capt. T. W. O. Braffett, on retiring from his place as Assistant Clerk of this House, has the thanks and confidence thereof, for his gentlemanly deportment and faithful discharge of his official duties.

Which was agreed to.

Mr. Milroy obtained leave to offer the following resolution:

Resolved, That the State Librarian be directed to procure and place on the desk of each new member a copy of the Revised Statutes by Gavin and Hord.

Which was not agreed to,

Mr. Henricks obtained leave, and offered the following:

OFFICE OF STATE LIBRARIAN,
INDIANAPOLIS, Nov. 23, 1865

Names of those appointed at the Furnaces and Wood Department, whose labors began Friday, Nov. 10, 1865:

Firemen.—Wm. A. Dunn, Henry Coleman, Martin Pfeuner, Thos. Morrow.

Wood Sawyer.—James Lyons.

Resolved, That the above named persons be placed upon the list of employees of this House, and that they be entitled to pay from the date of their employment as therein stated.

Which was agreed to.

On motion by Mr. Abbett,

The House adjourned.

2 o'clock P. M.

The House met.

SPECIAL ORDERS FOR THE DAY.

House bill No. 156. A bill imposing on Clerks of the several Circuit Courts, the duty of preparing applications for back pay, back pay and bounty, balances and bounty, half pay and pensions, creating a State Agent for soldiers' claims, to represent the same, imposing on certain officers the duty of preparing and certifying documentary evidence in connection with such memorials, prescribing the duties of such officers, and imposing penalties for violating their duties.

Was taken up, and the amendments heretofore submitted by the Special Committee, were read.

The question being on agreeing to the amendments as reported by said Committee.

Mr. Griffith moved that when the House adjourn, it meet again at 7 o'clock this evening.

Which was not agreed to.

The question being on agreeing to the amendments as recommended by said Committee.

They were agreed to.

On motion by Mr. Pettit,

House bill No. 156 was considered as engrossed and read a third time.

And the question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Atkinson, Bonner, Boyd, Burnes, Church, Cowgill, Cox, Crook, Davidson, Ferris, Foulke, Gleason, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Henricks, Hershey, Hogate, Hoover, James, Johnson, Kilgore, Lane, Litson, Lockhart, McVey, Newcomb, Olleman, Patterson, Prather, Reese, Riford, Sabin, Shoaff of Jay, Shucy, Sim, Stuart, Sullivan of P. & V.,

Trusler, Veach, Welch, Wright, Woods, Zeigler and Mr. Speaker —47.

Those who voted in the negative were,

Messrs. Abbett, Brown, Burton, Burwell, Buskirk, Caldwell, Collins, Glazebrook, Goodman, Gregg, Hargrove, Howard, Humphreys, Hunt, Lee, Lemon, Lopp, Milroy, O'Brien, Osborn, Perigo, Pinney, Rhoads, Rice, Richardson, Roach, Spencer, Stenger, Stringer, Stuckey, Sullivan of Scott, Weikel, White and Woodruff —34.

So the bill did not receive a constitutional majority.

The Speaker laid before the House the following communication from the State Auditor:

Hon. John U. Pettit, Speaker of the House of Representatives:

SIR: I have the honor to transmit herewith, in advance of publication, statements No. 1 and No. 2 from my Annual Report to the Governor, showing the receipts and disbursements during the fiscal year ending October 31, 1865, the condition of the Treasury at that date and the operations of the various Trust Funds, and have to request that you will submit the same to the House over which you preside.

I am Sir, very respectfully,
Your obedient servant,
T. B. McCARTY,
Auditor of State.

On motion by Mr. Kilgore,
The House agreed to go into the election of an Assistant Clerk on to-morrow, at 10 o'clock, A. M.

On motion by Mr. Kilgore,
The House adjourned.

FRIDAY MORNING, 9 o'clock,
November 24, 1865.

House met pursuant to adjournment.

The Clerk proceeded to read the Journal of yesterday, when
On motion by Mr. Griffith,
The further reading thereof was dispensed with.

The Journal, as reported, was then adopted.

PETITIONS, MEMORIALS AND REMONSTRANCES.

The Speaker laid before the House a memorial from Gabriel Godfrey, and fifteen other Miamies, asking the General Assembly to remove the present disabilities which exclude them from testifying in courts of justice, and from the common schools.

Which was read, and, on motion, was referred to the Committee on Education.

Also, a memorial and accompanying bill, from the Grand Camp of the Hosts of Temperance.

Mr. Shuey moved to refer the memorial and accompanying draft for a bill to the Committee on Temperance, and that 200 copies of the draft for the bill be printed.

Mr. Lane moved to lay the motion to print on the table.

Which was agreed to.

The question to refer the memorial and bill to the Committee on Temperance was then agreed to.

By Mr. Stringer:

A memorial from the Commissioners of Dearborn county, asking for a modification of the law "for the relief of families of soldiers, seamen and marines, &c.," approved March 4, 1865.

Which was referred to the Committee on Ways and Means.

By Mr. Lane:

A petition from sundry citizens of the county of Putnam, praying for a change in the law licensing the sale of intoxicating liquors.

Which was referred to the Committee on Temperance.

By Mr. Miller:

A memorial from John Pettit, and numerous other citizens of Tippecanoe county, asking for the repeal of the Black Laws, and such other legislation as will secure to the colored people, the right to testify in courts of justice, and the benefit of the common school system.

Which, on motion, was referred to the Committee on the Rights and Privileges of the Inhabitants of the State.

By Mr. Litson:

A memorial from sundry citizens of the State on the subject of roads.

Which was referred to the Committee on Roads.

By Mr. Wright:

Sundry claims.

Which were referred to the Committee on Claims.

REPORTS FROM COMMITTEES.

Mr. Newcomb, from the Committee on the Judiciary, made the following report:

Mr. Speaker:

The Judiciary Committee to whom was referred House bill No. 183 entitled "an act to encourage education by authorized trustees, to levy taxes in certain cases, regulating the same and declaring an emergency," respectfully report that legislation on the subject is inexpedient at this time, because the bill as referred to us is liable to the same objections as were made and sustained in the case of Black vs. Greencastle Township, 5th Ind., page 557.

And should the bill pass it would, necessarily, involve officers and tax-payers in litigation, and inasmuch as the State school tax has been increased about 60 per cent. your committee are of the opinion that the extra tax proposed to be levied by the bill would be onerous and objectionable, therefore they recommend that said bill be laid on the table.

Which was concurred in.

By Mr. Newcomb:

MR. SPEAKER:

The Judiciary Committee, to whom was referred House bill No. 96 entitled "an act to provide for the call of a convention of the people of the State of Indiana, to revise, amend or alter the Constitution of said State, to defray the expenses of said Convention, to submit the Constitution as amended to a vote of the people, and all other things necessary to give force to this act," respectfully report that they have had the same under consideration, and in their opinion legislation on the subject is inexpedient at the present time, therefore they recommend that said bill be indefinitely postponed.

Which recommendation of the committee was concurred in.

Mr. Newcomb, from the Judiciary Committee, made the following report:

MR. SPEAKER:

The Judiciary Committee, to whom was referred House bill No. 212 entitled a bill to legalize the appraisement of real estate made under the provision of the act entitled "an act to provide for the appraisement of real estate and prescribing the duties of officers in relation thereto," approved December 21, 1858, respectfully report that they have had the same under consideration and recommend the passage of said bill.

Which was laid on the table.

Mr. Newcomb, from the Judiciary Committee, made the following report:

MR. SPEAKER:

The Judiciary Committee, to whom was referred House bill No. 205, entitled "a bill to provide for a more speedy settlement of the claims against defaulting State and Township officers," respectfully report that they have had said bill under consideration, and that in their opinion said bill is unconstitutional, and that legislation on the subject is inexpedient, and that said bill be indefinitely postponed.

The report was concurred in, and said bill indefinitely postponed.

Mr. Newcomb, from the Committee on the Judiciary, made the following report:

MR. SPEAKER:

The Judiciary Committee, to whom was referred House bill No 142, entitled "an act to amend sections 4 and 5 of an act entitled 'an act to authorize Judges of the Circuit Courts and Common Pleas Courts to appoint Master Commissioners, and defining the duties, and fixing the compensation of such Master Commissioners, approved March 2d, 1853,'" respectfully report that they have had said bill under consideration, and herewith report back said bill to the House, and recommend that it be indefinitely postponed.

The report was concurred in, and said bill indefinitely postponed.

Mr. Miller, from the Committe on the Organization of Courts of Justice, made the following report:

MR. SPEAKER:

The Committee on the Organization of Courts of Justice, to whom was referred Senate bill No. 210, entitled "an act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the Courts of this State, &c., approved June 18, 1852," have had the same under consideration, and direct me to report it back to the House, and recommend that it do pass.

Which report was laid on the table.

Mr. Miller, from the Committee on the Organization of Courts of Justice, offered the following report:

MR. SPEAKER:

The Committee on the Organization of Courts of Justice, to whom was referred Senate bill No. 145, entitled "an act providing for compensation for Judges holding Courts of Common Pleas, in certain cases," have had the same under consideration, and direct me to report the same back to the House, and recommend its passage.

Which report was laid on the table.

Mr. Church, from the Committee on the Organization of Courts of Justice, made the following report:

MR. SPEAKER:

The Committee on the Organization of Courts of Justice, to whom was referred House bill No. 87, have had the same under consideration, and direct me to report the same back to the House with a recommendation that it do pass.

On motion,

The report was laid on the table.

Mr. Burwell, from the same committee, made the following report:

MR. SPEAKER:

The Committee on the Organization of Courts of Justice, to whom was referred a resolution instructing said Committee to inquire into the expediency of reporting a bill providing for the purchase and distribution of Gavin and Hord's Statutes to Justices of the Peace and Township Trustees, have inquired into the same, and directed me to report that the benefits to be derived from such a procedure, would not justify the great expense attending it, and recommend that the resolution do lie on the table.

Which recommendation of the Committee was concurred in.

Mr. Burwell, from the Committee on the Organization of Courts of Justice, made the following report:

MR. SPEAKER:

The Committee on the Organization of Courts of Justice, to whom was referred House bill No. 154, entitled "a bill to amend the 7th section of an act entitled 'an act providing for the election of Clerks of Circuit Courts, and prescribing some of their duties,'" approved June 7th, 1852, have had the same under consideration, and have directed me to report it back with the recommendation that it lie on the table, for the reason that House bill No. 181, on the same subject, has been examined by the same Committee, and its passage recommended.

Which report was laid on the table.

Mr. Gregory of Warren, from the Committee on Education, made the following report:

MR. SPEAKER:

The Committee on Education, to whom was referred House bill No. 82, offered by Mr. Meredith, of Vigo County, beg leave to report that they have examined the same, as they did at the last session, and now (as then) report that they are favorable to said bill, and recommend its passage.

Which report was laid on the table.

Mr. Gregory of Warren, from the Committee on Education, made the following report:

MR. SPEAKER:

The Committee on Education, to whom was referred House bill No. 235, to provide for the appointment of a commissioner who, in conjunction with the various County Auditors of the State, shall examine the records of the school funds, held in trust by the counties, for the purpose of determining the amount and safety of said funds, and matters properly connected therewith, providing for the salary of said Commissioner, and making County Commissioners and the Superintendent of Public Instruction final referees in cases of disagreement between the said Commissioners and the County Auditors, beg leave to report that they have considered the same, and would recommend its passage.

Which report was laid upon the table.

Mr. Trusler, from the Committee on Military affairs, made the following report:

MR. SPEAKER:

The Committee on Military Affairs, to whom was referred joint resolution No. 10, instructing our Senators and requesting our Representatives in Congress to use their influence and cast their votes in favor of a law placing all persons injured or killed, and their widows and minor children, upon the pension rolls of the United States upon an equality with those injured or killed in the regular service, respectfully report back to the House that they have had the same under consid-

eration, and as the same subject is embraced in Senate Resolution No. 5, that passed at the last session, they recommend the indefinite postponement of said resolution.

Which recommendation was concurred in.

Mr. Lockhart, from the Committee on Railroads, made the following report:

MR. SPEAKER:

The Committee on Railroads to whom was referred House bill No. 211, have had the same under consideration, and have ordered me to make the following report:

To amend section 2d by making the notices sixty days instead of thirty. Also to give notice in at least one paper of the County for sixty days before sale.

Also, after five years, all sums of money remaining unclaimed, to be paid into the County Treasury, to be placed to the account of the Common School Fund, and when so amended, would recommend its passage.

Which report was laid on the table.

Mr. James, from the Committee on Corporations, made the following report:

MR. SPEAKER:

The Committee on Corporations, to whom was referred Senate bill No. 141 a bill to amend the 2d, 5th and 6th sections of an act entitled "an act concerning the organization of voluntary associations, and repealing former laws in reference thereto," approved February 12, 1855, have had the same under consideration and instructed me to report the same back to the House and recommend that it do pass.

Which report was laid on the table.

Mr. Hamrick, from the Committee on Corporations, made the following report:

MR. SPEAKER:

The Committee on Corporations, to whom was referred sundry

petitions and memorials from citizens of Lawrenceburg, would represent that as the petitions referred to in said memorials are not in the possession of this House, and as such powers and privileges as may be necessary for said city will be embodied in a general bill now in course of preparation, the committee would recommend that said memorials be laid upon the table.

Which was concurred in.

Mr. Stuart, from the Committee on the State Library, presented the following report from the State Libraian:

To the Speaker and Members of the House of Representatives:

Though not required by the statutes to make a report at the present session of your honorable body, I nevertheless deem it a duty to present to you an abstract statement of the condition of the department which you have confided to my care and keeping.

Since the last regular session but few additions have been made to the Library, owing in part to the want of room for books, and the unusual high prices of standard works. I have effected quite a number of exchanges for duplicate copies of Indiana Reports, and in this way have been enabled to husband the Library funds. The standing appropriation for the current year was all exhausted when I came into office, hence I have drawn from the fund appropriated at the last session, the greater part of which still remains in the State Treasury.

Quite a large number of Reports, Journals, Laws and other public documents have been received from different States, and the Canadas, a register of which may be found in the Library.

Among the additions to our Trophy Hall will be found the following:

One hundred and twenty-eight flags belonging to infantry regiments.

Four flags belonging to cavalry regiments.

Three flags belonging to batteries.

Seventeen guidons.

One rebel flag captured at Pleasant Hill, La., by the 16th Mounted Infantry, April 9, 1864.

One large rebel flag, captured at Columbia S. C., and presented to Gov. Morton by the 140th Regiment Indiana Volunteers, taken from the Capitol buildings.

One rebel flag captured at Columbia, S. C., by U. S. forces, Feb-

ruary 17, 1865, and presented to Gov. Morton by Adjutant Parks, of the 12th Indiana Volunteers.

One rebel black flag, raised by the rebels on the College building at Russleville, Ky., and captured with a lot of ordnance stores, by a detachment of Company A., 50th Regiment Indiana Volunteers, under command of Lieut. McCoy. Deposited in the Library by Lieutenant Colonel T. T. Welles, 50th Regiment Indiana Volunteers.

One saw-fish, deposited in Library by Abel Wilson, Company B., 147th Regiment Indiana Volunteers. Captured at Indianola, Texas.

One large tooth, found in the bed of White River twenty-five years ago. Deposited in Library by Thomas J. Brooks.

One rebel sword, captured in action near McMinnville, Tenn., and presented by Capt. J. J. Howard, 17th Regiment Indiana Volunteers.

One breech loading cannon, made at Macon, Ga., for Forest's rebel cavalry. Captured at Selma, Ala., by the 17th Regiment Indiana Volunteers. Dug up from the Cemetery.

We feel much the need of more room for Library purposes, as well as for the Flags and Trophies that are now rapidly accumulating in our Trophy Department. When the rooms, now occupied by the Adjutant General, are vacated, this inconvenience will be remedied. And yet it may be well for your honorable body to consider the insecure and unsafe condition of the Library and relics of the war. In case of fire, it would be impossible to save from the conflagration many of the books snd trophies now in the Library; and while the books might, some of them, be replaced, no money could replace the sad mementoes which tell of the part that Indiana has taken in this great struggle for the nation's life, and the preservation of that glorious Union bequeathed to us by the Fathers of the Republic.

All of which is respectfully submitted.

B. F. FOSTER,

State Librarian.

Which report was laid on the table.

Mr. Griffith, from the Committee on the Northern State Prison made the following report:

MR. SPEAKER:

The Committee on the Northern State Prison, to whom wa

referred a resolution respecting the mileage of Sheriffs, would respectfully report the following bill:

The report was laid on the table.

Mr. Rice, by consent, presented a petition from sundry citizens of Parke county, on the subject of Temperance.

Which, on motion, was referred to the Committee on Temperance.

Mr. Newcomb, by consent, presented a petition signed by two thousand three hundred and forty-six citizens of Marion county, on the subject of Temperance.

Which was referred to the Committee on Temperance.

Mr. Crook, by consent, offered the following concurrent resolution:

WHEREAS, under the present law regulating the Indiana State Prison (South), the Directors thereof ask an appropriation from the State Treasury at each session of the Legislature, to defray the expenses of said Prison; and

WHEREAS, in the opinion of this General Assembly, said institution can be so managed as to be self-sustaining, and bring a revenue into the State Treasury; and,

WHEREAS, The convicts in said prison have been leased for a term of years, expiring in 1867, at the remarkably low rate of 40 cents per day. Therefore, be it

Resolved, by the House of Representatives (the Senate concurring) that the Hon. D. E. Williamson, Attorney General of this State, be instructed to inquire into the validity of the said contracts, and report to this General Assembly whether, is his opinion, the State can, in any way, be relieved from said contracts.

Which was agreed to.

Ordered, That the Clerk inform the Senate thereof.

HOUSE BILLS AND RESOLUTIONS.

House bill No. 237. A bill to amend section 35 of an act to provide for a general system of Common Schools, the officers thereof, and their respective powers and duties, and matters properly con-

nected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of Township Libraries, and to repeal all laws inconsistent therewith, approved March 6, 1865.

Was read a first time, and referred to the Committee on Education.

By Mr. Coffroth:

House bill No. 238. A bill to authorize foreign guardians to take possession of personal property of their said wards, and receive and receipt for moneys belonging to their said wards in this State, and sue for and recover such personal property or money, in the Courts of this State.

Which was read a first time, and referred to the Committee on the Judiciary.

By Mr. Shuey:

House bill No. 239. A bill to authorize manufacturing companies to erect a dam across the St. Joseph river in Elkhart county.

Which was read a first time, and referred to the Committee on Manufactures and Commerce.

By Mr. Milroy:

House bill No. 240. A bill to relieve County Auditors, Treasurers, Township Trustees, Assessors and other officers, in certain cases, for the year 1865, from the penalties attached for the violation of an act entitled "an act to discourage the keeping of useless and sheep-killing dogs," &c., approved March 2, 1865, and declaring an emergency.

Which was read a first time, and referred to the Committee on County and Township Business.

By Mr. Hamrick:

House bill No. 241. A bill to amend an act entitled "an act authorizing the construction of Plank, Macadamized and Gravel Roads, approved May 12, 1852.

Which was read a first time, and referred to the Committee on Roads.

By Mr. Stuart:

House bill No. 242. A bill to amend sections 3 and 14 of an act entitled "an act to allow County Commissioners to organize turnpike companies, where three fifths of the persons representing the real estate within prescribed limits, petition for the same, and to levy a tax for its construction, and provide for the same to be free, approved March 6, 1865.

Which was read a first time, and referred to the Committee on Corporations.

By Mr. Miller:

House bill No. 243. A bill to authorize the appointment of a commissioner to co-operate with other National and State authorities in forwarding to, and exhibiting, the agricultural, mechanical, manufacturing, mineral, artistic and other products of the State of Indiana, at the Universal Exposition, to be held at the city of Paris, France, in the year 1867, and in their encouraging foreign immigration to this State, and providing for the compensation and expenses of such Commissioner.

Which was read a first time, and referred to the Committee on Agriculture.

By Mr. Buskirk:

House bill No. 244. A bill to provide for and regulate the issuing of licenses to Locomotive Engineers within the State of Indiana.

Which was read a first time, and referred to a select Committee.

By Mr. Rhoads:

House bill No. 245. A bill to amend sections 12, 14, 18, 21, 26, 40, 41 and 42 of an act entitled "an act to provide for a general system of common schools, the officers thereof and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed,

Mr. Rhoads moved that it be deemed expedient to suspend the

Constitutional rule requiring bills to be read on three several days by sections, and that said bill be read by its title.

The ayes and noes were taken under the Constitution.

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Bird, Bonner, Boyd, Brown, Burnes, Burton, Buskirk, Caldwell, Church, Coffroth, Collins, Cook, Cowgill, Cox, Croan, Crook, Davidson, Ferris, Foulke, Glazebrook, Gleason, Goodman, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Hargrove, Harrison, Henricks, Higgins, Hogate, Hoover, Howard, Humphreys, James, Johnson, Kilgore, Lasselle, Lee, Lemon, Litson, Lockhart, Lopp, Milroy, Newcomb, O'Brien, Olleman, Osborn, Patterson, Perigo, Pinney, Prather Reese, Rhoads, Rice Richards, Richardson, Riford, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Spencer, Stuart, Stenger, Stuckey, Sullivan of P. & V., Thatcher, Trusler, Upson, Veach, Weikel, Welch, White, Woodruff, Wright, Woods, Zeigler and Mr. Speaker —84.

Those who voted in the negative were,

Messrs. Stringer and Sullivan of Scott—1.

So it was deemed expedient to suspend said Constitutional Rule, and House bill No. 245 was read a first time by its title, and referred to the Committee on Education.

By Mr. Osborn:

House bill No. 246. A bill to amend the 10th section of an act entitled "an act regulating the fees of officers, and repealing former acts in relation thereto," approved March 2, 1855.

Which was read a first time and referred to the Committee on Fees and Salaries.

Mr. Newcomb obtained consent and offered the following resolution:

Resolved, That the Speaker be authorized to draw his warrent for the per diem of the officers and employees of the House, to be paid out of the appropriation heretofore made, or which may hereafter

be made to defray the expenses of this General Assembly at the following rates, to-wit:

To the principal and assistant clerks, and their assistants, to the number authorized by the resolution of the House heretofore adopted, five dollars per day each.

To the principal doorkeeper, five dollars per day; to his assistants, George W. Bushy, M. J. Thomas, A. W. Stringer, Peter Wilkins and J. W. Cochrane, four dollars each per day.

To A. C. Cochrane, folding clerk, and George Douglass, assistant folder and mail carrier, four dollars per day each.

To John T. Warner, spittoon cleaner and waiter, three dollars per day.

To the five pages appointed by the Clerk and Speaker, two dollars per day each.

To the Speaker's clerk, four dollars per day.

To the two firemen in the basement, employed by the State Librarian on behalf of the House, three dollars per day each.

Which was adopted.

Mr. Henricks moved to reconsider the vote whereby the House agreed to the resolution.

Which was not agreed to.

By Mr. Groves:

House bill No. 247. A bill concerning the collection of delinquent taxes in the State of Indiana, and declaring an emergency.

Read a first time and referred to the Committee on Ways and Means.

By Mr. Gregory, of Warren:

House bill No. 248. A bill to amend the second section of the act for the incorporation of manufacturing and mining companies, and companies for mechanical, chemical and building purposes, approved May 20, 1852, by extending the provisions of said section to any companies heretofore incorporated for any of the purposes contemplated in said act, and legalizing all conveyances heretofore received by such companies for such purposes.

Was read a first time and referred to the Committee on Corporations.

Leave of absence was granted Mr. Higgins until Monday next.

Mr. Thatcher, from the Committee on Printing, made the following report:

Mr. Speaker:

I am instructed by the Committee on Printing, to whom was referred House bill No. 177, entitled "an act to amend section 143 of an act entitled an act amendatory of an act to provide for the publication of delinquent taxes," approved May 31, 1861, and recommend that said bill be amended by striking out the words twenty-five in the 5th and 6th lines thereof, and insert the word fifteen, and upon the adoption of said amendment the committee recommend the passage of the bill.

Which report, on motion, was laid upon the table.

By Mr. Gregg:

House bill No. 249. A bill to amend section five of an act entitled "an act to regulate and license the sale of spirituous, vinous, malt and other intoxicating liquors, to repeal all former laws contravening the provisions of this act and prescribing penalties for violation thereof," approved March 5, 1859.

Was read a first time and referred to the Committee on the Judiciary.

By Mr. Sullivan, of Scott:

House bill No. 250. A bill to repeal an act approved March 2, 1865, to discourage the keeping of useless dogs, and providing penalties for the violations of said act and repealing an act to license dogs, approved March 11th, 1861, and providing that nothing in this act shall be so construed as to conflict with an act entitled "an act for the protection of sheep," approved June 15th, 1852.

Was read a first time and referred to the Committee on Rights and Privileges.

By Mr. Lasselle:

House bill No. 251. A bill to provide for taking the enumeration of all the white male inhabitants in the State over the age of twenty-

one years, and prescribing a penalty for the neglect of certain officers in relation thereto.

Which was read a first time, and,

On motion by Mr. Lasselle,

Was referred to a Select Committee.

By Mr. Ferris:

House bill No. 252. A bill to incorporate an additional section in an act entitled "an act to provide for a general system of common schools; the officers thereof, and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of Township Libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed," approved March 6, 1865, and declaring an emergency, and declaring when this act shall take effect.

Which was read a first time, and referred to the Committee on Education.

The Speaker announced the following Select Committee on Mr. Brown's resolution in regard to examination of Rail Road Engineers:

Messrs. Brown, Kilgore, Coffroth, Reese and Buskirk.

SPECIAL ORDER FOR THE DAY.

The special order for the day being the election of Assistant Clerk of the House.

Mr. Kilgore nominated R. O. Dormer.

Mr. Brown nominated Capt. Biford E. Long.

Messrs. Brown and Higgins were appointed tellers.

The House proceeded to vote by a *viva voce* vote.

When the following result was announced:

For Mr. Dormer, fifty-four; for Mr. Long, thirty-five.

Mr. R. O. Dormer having received a majority of all the votes cast was, by the Speaker, declared duly elected Assistant Clerk of the House during the present term.

Mr. Dormer then came forward and was sworn into office by the Speaker and entered upon the discharge of his duties.

Mr. Gregory of Warren, moved to suspend the order of business, and take up House Joint Resolution No. 1.

Which was agreed to.

On motion by Mr. Lane,

The further consideration of said Joint Resolution was postponed till Tuesday evening, 7 o'clock, P. M.

Mr. Buskirk asked, and obtained, leave to introduce

House bill No. 253. A bill to amend the eight section of an act entitled "an act to fix the time of holding the Common Pleas Courts in the several counties in this State, the duration of the terms thereof, and making all process from the present Common Pleas Courts returnable to such terms, and declaring when the same shall take effect, and repealing all laws inconsistent therewith," approved March 5, 1859, and which eighth section was amended and approved March 11, 1861.

Which was read a first time and referred to a Select Committee.

Leave of absence was granted Messrs. Hogate, Veach and Howard, on account of sickness.

The Speaker laid before the House the following communication:

To the Speaker and Members of the House of Representatives:

GENTLEMEN:—In dissolving my relations with your honorable body I can but say that it is with many regrets that I do so. My official and social connections have been such as to create in me a warm and affectionate feeling for the members of this General Assembly, and on finally dissolving my relations with you, allow me to express my gratitude and heartfelt thanks for the confidence reposed in, and the honor bestowed upon me by your honorable body.

T. W. O. BRAFFETT,
Late Assistant Clerk.

The Speaker announced the following Select Committee on House bill No. 253:

Messrs. Buskirk, Major and Howard.

The Speaker announced the following Select Committee on s

much of the Governor's message as relates to the formation of a harbor at Michigan City:

Messrs. Higgins, Miller, Buskirk, Newcomb and Collins.

Mr. Lane moved to suspend the order of business, and take up House bill No. 218.

Which was agreed to.

House bill No. 218. A bill to amend sections three and four of an act entitled "an act to regulate and license the sale of spirituous vinous, malt and other intoxicating liquors; to prohibit the adulteration of liquors; to repeal all former laws contravening the provisions of this act, and prescribing penalties for the violation thereof," approved March 5, 1859, and prescribing penalties in case of a second or subsequent conviction.

The pending question being on the amendment offered by Mr. Lane, to those recommended by the Committee on Temperance.

Pending which,

On motion,

The House adjourned.

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2 O'CLOCK, P. M.

The House met.

The question being at the adjournment, on the amendment offered by Mr. Lane, to the amendments reported by the Committee on Temperance, to House bill No. 218.

It was agreed to.

The amendments as reported by said committee were then agreed to.

Mr. Rhoads moved to amend as follows:

In amended section four, in line eight, after the word "required" add the following:

"And that the said petition contains the signatures of a majority of the legal voters in such township or city wards."

Mr. Higgins moved to lay the amendment on the table.
Which was agreed to.

House bill No 218 was ordered to be engrossed, and two hundred copies printed for the use of the House.

Mr. Shuey moved to make said bill the special order for Wednesday next at 2 o'clock, P. M.
Which was agreed to.

Leave was granted the Committee on Federal Relations for the balance of the day.

Leaveof absence was granted to Messrs. Stringer, Burton, Shuey, Weikle and Abbett.

SENATE BILLS ON FIRST READING.

Engrossed Senate bill No. 198. A bill repealing an "act entitled an act" for the relief of the families of soldiers, seamen, and marines, and sick, and wounded Indiana soldiers in hospitals, in the State and United States service, and of those who have died, or been disabled in such service; and prescribing the duties of certain officers therein named. Approved March 4, 1865, and providing for the collection, and distribution of the taxes collected in pursuance thereof for the year 1865 and providing when the same shall take effect.
Was read a first time.

Mr. Newcomb moved to refer said bill to the special committee heretofore appointed on soldier's homes.
Which was agreed to.

SENATE BILLS ON SECOND READING.

Senate bill No. 25. A bill defining certain misdemeanors and prescribing punishment therefor.
Was read a second time and passed to a third reading.

Senate bill No 82. A bill to authorize cities to prepare, execute, negotiate and sell bonds, to provide means to complete unfinished school buildings, and to pay debts contracted for the erection of school buildings, and to authorize the levy and collection of an addi-

tional special tax to provide means for the payment of the interest and principal of such bonds.

The question being on agreeing to the amendments heretofore reported by the Committee on the Judiciary.

They were agreed to.

The bill passed to a third reading.

On motion by Mr. Shuey,

House bill No. 125, was taken up and referred to a select committee of three.

On motion by Mr. Lane,

House bill No. 164, was taken from the table and referred to the Committee on Roads.

Senate bill No. 4. A bill to provide for the making and authentication of transcripts from the records of the Recorder's office in certain cases, and for the admissibility in evidence of the same, and certified copies of the deeds and mortgages contained therein.

Was read a second time and passed to a third reading.

Engrossed Senate bill No. 70. A bill for the relief of any person, plaintiff in execution, all officers to whom execution may be issued on any judgment, and sureties, and co-sureties in certain cases.

Was read a second time and passed to a third reading.

Engrossed Senate bill No. 60. A bill to amend the twenty-first section of an act entitled an act to authorize a company to construct the Aurora and Laughery turnpike, approved February 15, 1858.

Was read a second time and,

On motion by Mr. Newcomb,

Was recommitted to the Committee on the Judiciary.

Senate bill No. 61. A bill to amend section four of "an act containing several provisions regarding landlords, tenants, lessors and lessees," approved May 20, 1852.

Was read a second time and passed to a third reading.

Senate bill No. 115. A bill to amend section eleven of "an act concerning county prisons," approved May 27, 1852.

Was read a second time and passed to a third reading.

Engrossed Senate bill No. 99. A bill requiring Clerks of the Circuit Courts and Courts of Common Pleas to make Indexes to the Record Books of their respective offices.

Was read a second time and passed to a third reading.

Senate bill No. 191. A bill to amend sections sixteen and forty seven of an act entitled "an act to provide for the opening, vacating and changing highways," approved June 17, 1852.

Was read a second time and referred to the Committee on Roads

Senate bill No. 84. A bill to amend section second of "an act prescribing the powers and duties of Justices of the Peace, in State prosecutions," approved May 29, 1852, so as to authorize the service of a warrant throughout the State.

Was read a second time and passed to a third reading.

Engrossed Senate bill No. 128. A bill making appropriations for the payment of interest on the State University Bonds for the years 1863 and 1864.

Was taken up, and,

On motion by Mr. Newcomb,

Was laid on the table.

Engrossed Senate bill No. 122. A bill in regard to weights and measures, the custody thereof and fees for using the same.

Was read a second time, and,

On motion by Mr. Lane,

Was referred to the Committee on County and Township Business.

Senate bill No. 47. A bill providing for compensation to parties whose property may be destroyed, or whose persons or property may be injured in consequence of mobs or riots.

Was read a second time and referred to the Committee on the Judiciary.

HOUSE BILLS ON SECOND READING.

House bill No. 91. A bill to authorize the discharge of bonds given by foreign executors, and guardians upon application to sell real estate.

Was taken up, and, on motion, indefinitely postponed.

House bill No. 204. A bill legalizing the acts of Commissioners who have heretofore made deeds under the order of Circuit and Common Pleas Courts in this State, and sales made by executors, administrators and guardians under the orders of said Courts, and confirming the deeds so made and the title under the same.

Was read a second time and referred to the Committee on the Judiciary.

House bill No. 213. A bill to repeal so much of section first of an act entitled "an act for the relief of the families of soldiers seamen and marines, and sick and wounded Indiana soldiers in hospitals in the State and United States service, and of those who have died or been disabled in such service and prescribing the duties of certain officers therein named, as provided for levying and collecting a tax for such purposes for the year 1855, and making provision for the application of any surplus which may remain of such tax levied and collected for the year 1866, and making provision for the relief of such persons as may be entitled to relief under said act for the year 1865, and declaring an emergency for the immediate taking effect of this act.

Was read a second time, and,

On motion by Mr. Newcomb,

Was referred to the Special Committee on the Soldiers' Home.

Mr. Buskirk, by consent, moved that when the House adjourn, it will adjourn until 2 o'clock on Monday next.

Which was agreed to.

The Speaker announced the following Select Committee on House bill No. 125:

Messrs. Lockhart, Howard and Shoaff of Allen.

HOUSE BILLS ON THIRD READING.

House bill No. 149. A bill to enable the Board of Directors of any incorporated Turnpike Company to change the time of holding the election of Directors.

Was read a third time,

By unanimous consent, Joint Resolution No. 1 was taken up, and,

On motion by Mr. Miller,

Was referred to the Committee on the Judiciary.

Mr. Spencer moved the House do now adjourn.

Messrs. Lane and Gregory of Warren, demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Abbett, Boyd, Burnes, Burwell, Caldwell, Collins, Cook Cowgill Ferris, Gregg, Hargrove, Harrison, James, Lemon, Lopp Milroy, Perigo, Prather, Richards, Richardson, Spencer and Thatcher—22.

Those who voted in the negative were,

Messrs. Atkinson, Bonner, Buskirk, Chambers, Church, Cox Davidson, Foulke, Goodman, Gregory of Warren, Groves, Hamrick Henricks, Hershey, Higgins, Hoover, Howard, Humphreys, Hunt Johnson, Kilgore, Lane, Lockhart, Miller, McVey, Newcomb O'Brien, Osborn, Pinney, Reese, Rhoads, Rice, Riford, Shoaff o Allen, Shoaff of Jay, Shuey, Stuart, Stringer, Stuckey, Sullivan of Scott, Upson, Veach, Weikel, Welch, White, Woodruff, Wright Woods and Zeigler—49.

So the House refused to adjourn.

The question being on the passage of House bill No. 149,

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Bonner, Boyd, Burnes, Burwell, Buskirk, Caldwell, Chambers, Collins, Cook, Cowgill, Cox, Crook, Davidson, Ferris, Foulke, Goodman, Gregory of Warren, Groves, Hamrick Hargrove, Harrison, Henricks, Hershey, Higgins, Hoover, Howard Humphreys, Hunt, James, Johnson, Lane, Lasselle, Lemon, Lockhart, Lopp, Miller, Milroy, McVey, Newcomb, Osborn, Perigo, Pinney, Prather, Reese, Rhoads, Rice, Richards, Richardson, Riford Sabin, Shoaff of Jay, Shuey, Stuart, Stuckey, Sullivan of Scott Sullivan of P. & V., Upson, Veach, Weikel, Welch, White, Woodruff, Wright, Woods, Zeigler and Mr. Speaker—68.

No member voting in the negative.

So the bill passed.

The question being, shall the title of the bill, as read, stand as the title of said bill?

It was so ordered.

Ordered, That the Clerk inform the Senate of the passage of said bill.

House bill No, 210. A bill to fix the time of holding the Court of Common Pleas in the county of Grant, and repealing all laws in conflict therewith.

Was read a third time, and,

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Bonner, Boyd, Burnes, Burton, Buskirk, Caldwell, Chambers, Church, Collins, Cook, Cox, Crook, Davidson, Ferris, Foulke, Glazebrook, Gleason, Goodman, Gregory of Warren, Groves, Hamrick, Hargrove, Harrison, Henricks, Hershey, Higgins, Hoover, Howard, Humphreys, Hunt, James, Johnson, Lane, Lasselle, Lemon, Lockhart, Lopp, Milroy, McVey, Newcomb, Osborn, Perigo, Pinney, Prather, Reese, Rhoads, Rice, Richards, Riford, Sabin, Shoaff of Jay, Shuey, Stuart, Stringer Stuckey, Sullivan of P. & V., Upson, Veach, Weikel, Welch, White, Woodruff, Wright, Woods, Zeigler and Mr. Speaker—68.

Mr. Miller voted in the negative.

The question being, shall the title of the bill, as read, stand as the title of said bill?

It was so ordered.

So the bill passed.

Ordered, That the Clerk inform the Senate of the passage of said bill.

Mr. Gregory of Warren, obtained leave, and offered the following resolution:

Resolved, That a select committee of three be appointed on the behalf of this House to act with a like committee on the part of the

Senate, to take into consideration the recommendation of the Governor in relation to the purchase of a building for the more safe keeping of the public records of the State, and for the providing of rooms for the State Officers and Supreme Court rooms, and that said committee be instructed to report a bill on that subject.

Which was agreed to.

Mr. Foulke, by consent, offered the following resolution:

Resolved, That the same privileges as to newspapers, stationery and postage stamps, heretofore allowed to the late Assistant Clerk be allowed the present Assistant Clerk.

Which was agreed to.

House Joint Resolution No. 4, was taken up and read a third time, and,

On motion by Mr. Buskirk,

Was referred to the Committee on the Judiciary, with the following instructions:

"With instructions to inquire whether the General Assembly at a special session possesses the power to propose amendments to the Constitution."

Mr. Newcomb moved to make Joint Resolution No. 4, the special order for Tuesday next, at 2 o'clock P. M.

Which was agreed to.

House bill No. 190. A bill to amend section eight of "an act regulating the fees of officers and repealing former acts in relation thereto," approved March 2, 1865.

Was read a third time.

The amendments heretofore reported by the Committee on Fees and Salaries, were read.

On motion by Mr. Brown,

The bill and pending amendments were referred to the Committee on the Judiciary.

The Speaker announced the following Select Committee on House bill No. 251:

Messrs. Lasselle, Rice and Gregg.

Mr. Newcomb moved to reconsider the vote by which the House efused, this morning, to reconsider the vote on the resolution in eference to the employees of the House.

Which was agreed to.

The House then agreed to reconsider the vote adopting said reso-ıtion.

Mr. Newcomb then moved to amend as follows:

Amend the last paragraph by striking out "two," and inserting ıe following:

To the five firemen, in the basement, employed by the State Libra-ian, for the House and Senate, "four" dollars per day each.

Which was adopted.

The resolution as amended was then agreed to.

On motion by Mr. Newcomb,

The House adjourned till Monday afternoon at 2 o'clock.

MONDAY, 2 o'clock, P. M., November, 27, 1865.

The House met pursuant to adjournment.

The Speaker not being present, the Assistant Clerk called the Iouse to order, and, by unanimous consent,

Mr. Henricks took the Chair.

On motion by Mr. Coffroth,

The reading of the Journal was dispensed with, and the House proceeded with the regular order of business.

PETITIONS, MEMORIALS AND REMONSTRANCES.

By Mr. Newcomb:

A claim in favor of J. F. Wingate, for supplies furnished this House.

Referred to the Committee on Claims.

Mr. Major, from the Committee on Fees and Salaries, made the following report:

MR. SPEAKER:

The Committee on Fees and Salaries, to whom was referred House bill No. 224, an act to regulate the docket fees of Prosecuting Attorneys in the Circuit Courts, and District Attorneys in the Courts of Common Pleas, and before Justices of the Peace, and to repeal all laws contravening the provisions of this act, and declaring an emergency, beg leave to report that they have considered the same, and have directed me to report it back with the recommendation that it do lie on the table.

Which was concurred in, and the bill was laid on the table.

Mr. Burnes, from the Committee on Rights and Privileges, made the following report:

MR. SPEAKER:

The Committee on Rights and Privileges, to whom was referred House bill No. 214, have had the same under consideration, and a majority of said Committee respectfully report the same back without amendment, and recommend that said bill do pass.

Which was concurred in, and the bill laid on the table.

Mr. Burnes, from the Committee on the Rights and Privileges of the Inhabitants of the State, made the following report:

MR. SPEAKER:

The Committee on Rights and Privileges, to whom was referred the resolution of Mr. Kilgore, in regard to colored persons testifying

n our Courts, have had the same under consideration, and inasmuch s there is a bill now pending, embracing the subject-matter of the esolution, directed me to report the same back, with the recommenlation that it do lie upon the table.

Which was concurred in.

Mr. Shoaff of Allen, from the Committee on County and Townhip Business, made the following report:

IR. SPEAKER:

The Committee on County and Township Business, to whom was eferred House bill No. 206, have had the same under consideration, nd have directed me to report the bill back with the following mendments, and when so amended, recommend its passage:

Amend by inserting at the end of the thirty-fourth line in section , the following: "In addition to what said Counties may appro-riate."

And further amend by inserting, after the word "proportion," at ıe end of line thirty-six in section 2, the following: "Such pro-ortion shall be determined by the Commissioners of the County in hich such Townships shall be situated."

Which was laid on the table.

Mr. Hogate, from the Committee on Agriculture, made the follow-g report:

R. SPEAKER:

The Committee on Agriculture, to whom was referred House bill o. 223, "a bill to prevent the killing of birds," have had the same ıder consideration, and direct me to report the same back to the ouse, and recommend its passage.

Which was laid on the table.

Mr. Prather, from the Committee on Federal Relations, made the llowing report:

R. SPEAKER:

The Committee on Federal Relations, to whom was referred the solution of this House in relation to instructing our Senators, and

requesting our Representatives in Congress, to propose such an amendment to the Constitution of the United States, so that the right of suffrage shall be uniform throughout the United States, and the power to regulate the same, be vested in Congress, and not in the States, have had the same under advisement, and have instructed me to report the same back, and ask its indefinite postponement.

Which was concurred in, and the resolution was indefinitely postponed.

Mr. Prather offered the following preamble and resolution:

WHEREAS, A bill accepting the provisions of an act of Congress of the United States, granting lands to the several States and Territories, providing Colleges for the benefit of Agriculture and Mechanical Arts; and

WHEREAS, Said act authorizes the issuing of land scrip to such of the States in which there was no land subject to entry; and

WHEREAS, So much of the Governor's Message as relates to said subject, was referred to a committee of one from each Congressional District of this State; therefore,

Resolved, That said Committee be instructed to inquire into the expediency of establishing twelve Agricultural Schools in the State of Indiana, one of which shall be located at Bloomington, Indiana, and one other school in each of the several Congressional Districts of the State, giving to the school at Bloomington two thirteenths of the whole amount of said donation, and the remainder of said donation shall be divided equally with the other eleven District Schools which shall be located in each of the Congressional Districts of this State, in which tuition shall be free to the families of those who have been made destitute and dependent in consequence of having lost their friends in the war of 1861, and report by bill or otherwise.

Which was agreed to.

BILLS INTRODUCED.

By Mr. Coffroth:

House bill No. 254. A bill to amend section, 5, 14 and 17, of an entitled "an act incorporating the town of Huntington," approved February 16, 1848.

Which was read a first time, and referred to the Committee on the Judiciary.

By Mr. Newcomb:

House bill No. 255. A bill supplemental to an act entitled "an act for the incorporation of Insurance Companies, defining their powers and prescribing their duties," approved June 17, 1852.

Which was read a first time, and referred to the Committee on the Judiciary.

A message from the Senate by Mr. Wilson, their Secretary:

MR. SPEAKER:

I am directed, by the President of the Senate, to inform the House of Representatives, that the Senate has passed the following engrossed bills thereof, to-wit:

Engrossed Senate bill No. 21. Entitled "an act to amend sections nine, ten, eighteen, twenty-three, twenty-four and thirty-three of an act entitled an act to incorporate the town of Vernon, Jennings county, Indiana," approved January 22, 1851; also,

Engrossed Senate bill No. 22. Entitled "an act to amend section ten of an act entitled an act providing for the election and qualification of Justices of the Peace, and defining their jurisdiction, powers and duties in civil cases," approved June 9, 1852; also,

Engrossed Senate bill No. 27. Entitled "an act to amend section four of an act entitled an act prescribing certain misdemeanors, punishable only by a Justice of the Peace," approved June 7, 1852; also,

Engrossed Senate bill No. 106. Entitled "an act to amend section one hundred and nineteen of an act entitled an act to revise, simplify and abridge the rules, practice, pleadings and forms in criminal actions in the courts of this State," approved June 17, 1852, so far as to strike out so much thereof as requires the appellee to pay the costs of the appeal, when the decision of the court below is decided to be errroneous; also,

Engrossed Senate bill No. 142. Entitled "an act defining the crime of drunkenness, and prescribing the penalties therefor;" also,

Engrossed Senate bill No. 185. Entitled "an act for the incorporation of hotel companies;" also,

Engrossed Senate bill No. 217. Entitled "an act to amend sections one, three and fourteen of an act entitled an act to allow County Commissioners to organize turnpike companies, where three-fifths of the people representing the real estate, within prescribed limits, petition for the same and to levy a tax for its construction, and provide for the same to be free;" also,

Engrossed Senate bill No. 221. Entitled "an act for the punishment of officers for receiving illegal votes;" also,

Engrossed Senate bill No. 175. Entitled "an act to authorize the formation of companies for the detection and apprehension of horse thieves and other felons, and for mutual protection and repealing all laws inconsistent therewith;" also,

Engrossed Senate bill No. 206. Entitled "an act supplemental to an act entitled an act to authorize, regulate and confirm the sale of railroads, to enable purchasers of the same to form corporations and to exercise corporate powers, and to define their rights, powers and privileges, to enable such corporations to purchase and construct connecting and branch roads and to operate and maintain the same," approved March 3, 1865, and for the purpose of making the same more definite and certain; also,

Engrossed Senate bill No. 211. Entitled "an act supplemental to an act to incorporate the White River Navigation Company, approved February 13, 1857, and an act entitled an act to amend the third section of an act entitled an act to incorporate the White River Navigation Company," approved February 13, 1851, and to extend the rights and privileges of said company, in which the concurrence of the House is respectfully requested.

I am further directed by the President of the Senate, to present for the signature of the Speaker of the House of Representatives:

Enrolled Act No. 16, of the Senate of Indiana. Entitled "an act to amend section three hundred and forty-nine of an act entitled an act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases, in the courts of this State to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1852, which is herewith respectfully submitted.

On motion by Mr. Prather,
The House adjourned.

TUESDAY MORNING, 9 o'clock.
November 28, 1865.

House met pursuant to adjournment.

A call of the House was ordered, when the following members answered to their names:

Messrs. Atkinson, Bonner, Boyd, Branham, Brown, Burton, Burwell, Caldwell, Chambers, Church, Collins, Cowgill, Cox, Croan, Crook, Davidson, Ferris, Foulke, Glazebrook, Gregory of Montgomery, Gregory of Warren, Groves, Hamrick, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, Humphreys, Hunt, Lane, Lemon, Lockhart, Lopp, Major, Meredith, Milroy, Montgomery, McVey, Newcomb, O'Brien, Osborn, Perigo, Prather, Reese, Rhoads, Rice, Richards, Richardson, Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Spencer, Stuckey, Trusler, Veach, White, Woodruff, Wright, Woods and Mr. Speaker—67.

The Clerk proceeded to read the Journal, when,
On motion by Mr. Hoover,
The further reading of the Journal was dispensed with.

Leave of absence was granted to Mr. James, on account of sickness.

PETITIONS, MEMORIALS AND REMONSTRANCES,

By Mr. Trusler:

A petition on the subject of Temperance, signed by D. D. Hall and others.

Which was referred without reading to the Committee on Temperance.

By Mr. Church:

A petition from the citizens of Porter county on the same subject.

Referred without reading to the same committee.

By Mr. Stuckey:

A petition from various citizens of Owen county on the same subject.

Referred without reading to the Committee on Temperance.

By Mr. Abbett:

A petition signed by H. W. Duffey and others, on the same subject.

Which was referred to the same committee, without reading.

By Mr. Lane:

A petition signed by Amand Wingate and others, on the same subject.

Referred to the same committee without reading.

By Mr. Harrison:

A petition signed by sundry citizens of Shelby County, on the same subject.

Referred to the same committee, without reading.

By Mr. Hoover:

Calling the attention of the Legislature to the annoyance and hindrance of public trade, caused by trains of cars standing across high

ways, and praying for such legislation as shall make such offenses punishable as a misdemeanor.

Which was referred to the Committee on Railroads.

By Mr. Major:

From citizens of Floyd County, asking that a portion of the school fund be set apart for the education of the colored people of this State as recommended by Gov. Morton in his late message.

Which, on motion, was referred to the Committee on Education.

By Mr. Osborn:

A petition signed by sundry citizens of Marion county on the of Temperance.

Referred to the Committee on Temperance, without reading.

REPORTS FROM STANDING COMMITTEES.

Mr. Newcomb, from the Committee on the Judiciary, made the following report:

Mr. Speaker:

The Judiciary Committee, to whom was referred Joint Resolution No. 1, proposing an amendment to the Constitution by striking out the 13th article thereof, respectfully report that they have had the same under consideration, and a majority of the Committee recommend its passage without amendment.

Which was laid on the table.

Mr. Newcomb, from the Committee on the Judiciary, made the following report:

Mr. Speaker:

The Judiciary Committee, to whom was referred Senate bill No. 108, entitled "an act to amend the 6th section of an act regulating divorces, nullification of marriage, and decree and order of Court incident thereto," approved May 13, 1852, respectfully report that they have had the same under consideration, and herewith report back said bill to the House, with the following amendments, to wit:

Insert after the word "Courts," in the 7th line of page 2 of said bill, the words, "and Courts of Common Pleas," and further amend

said bill, by striking out the words "and freeholders," in line 3, on page 3, and upon the adoption of said amendments, the Committee recommend the passage of the bill.

Which was concurred in.

Mr. Newcomb, from the Judiciary Committee, made the following report:

MR. SPEAKER:

The Judiciary Committee, to whom was referred House bill No. 204, entitled "an act legalizing the acts of Commissioners who have heretofore made deeds under the order of Circuit and Common Pleas Courts in this State, and sales made by executors, administrators and guardians under the orders of said courts and confirming the deeds so made, and the title under the same," respectfully report that they have had the same under consideration, and in their opinion legislation on the subject being unnecessary they recommend that said bill be laid on the table.

Which was laid on the table.

Mr. Newcomb, from the Committee on the Judiciary, made the following report:

MR. SPEAKER:

The Judiciary Committee, to whom was referred Senate bill No. 13, entitled a bill to amend the 17th section of an act entitled "an act providing for the organization of county boards, and presenting some of their powers and duties," approved June 17, 1852, respectfully report that they have had the same under consideration and instruct me to report that the Legislature of the last session upon the subject matter embraced in said bill renders further legislation unnecessary and inexpedient; your committee, therefore, recommend that the bill be indefinitely postponed.

Which was concurred in.

Mr. Newcomb, from the Committee on the Judiciary, made the following report:

MR. SPEAKER:

The Judiciary Committee, to whom was referred House bill No. 234 entitled a "bill to repeal an act in relation to the reports of cer-

tain officers," approved June 3, 1861, respectfully report that they have had the same under consideration and recommend its passage.

The report was concurred in and the bill laid upon the table.

Mr. Newcomb, from the Committee on the Judiciary:

MR. SPEAKER:

The Judiciary Committee, to whom was referred House bill No. 249, entitled "a bill to amend section 5 of an act entitled an act to regulate and license the sale of spirituous, vinous, malt and other intoxicating liquors, to repeal all former laws contravening the provisions of this act and prescribing penalties for violation thereof," approved March 5, 1859, respectfully report that they have had the same under consideration and recommend its passage.

Which was concurred in.

Mr. Coffroth, from the Judiciary Committee, offered the following report:

MR. SPEAKER:

The Judiciary Committee, to whom was referred House bill No. 238, entitled "a bill to authorize foreign guardians to take possession of personal property of their Wards, and receive and receipt for moneys belonging to the said Wards in this State, and sue for and recover such personal property or money in the courts of this State," have had the same under consideration and have instructed me to report the same back and recommend its passage.

Which was concurred in.

Mr. Brown offered the following minority report from the Committee on the Judiciary:

MR. SPEAKER:

The minority of the Committee on the Judiciary, to whom was referred Joint Resolution No. 1, proposing to amend the Constitution of the State by striking out the 13th article of the same, respectfully report that they have had the same under consideration and recommend that it be indefinitely postponed.

Which, on motion,

Was laid on the table.

Mr. Howard, from the Committee on the Organization of Courts of Justice, made the following report:

Mr. Speaker:

The Committee on the Organization of Courts of Justice, to whom was referred House bill No. 181, have had the same under consideration and the majority of said committee have instructed me to report said bill back and to recommend that section one thereof be amended as follows:

After the word "treasurer," in the 24th line of said section, insert the words "such clerk shall be entitled to a fee of fifteen cents for every one hundred words contained in the lists and copies above required."

Also, strike out all after the word "dollars" in fourth line from bottom of said section.

After the word "hands" wherever the same occurs, insert the words "at any time."

Strike out the word "section" and insert the words "any of the provisions of this act" in lieu thereof.

After the word "fail" insert the word "refuse."

Strike out the words, "shall be fined in any sum not exceeding one thousand dollars," and insert in lieu thereof the following "Shall be liable to an action on his official bond, and it is hereby made the duty of the treasurer of said county to notify the proper district prosecuting attorney of such failure, refusal or neglect of said clerk, and said attorney shall, without delay, file a complaint in the name of the State of Indiana, in the Common Pleas Court, for the recovery of said money, and upon the trial thereof the State shall recover the amount found to be in the hands of said clerk together with a penalty of fifty per cent. in addition thereto, for which amount and penalty a judgment shall be rendered, collectable without any relief from valuation, stay, exemption or appraisement laws," and that when so amended they do recommend its passage.

Which was laid upon the table.

Mr. Gregory of Warren, from the Committee on Education, made the following report:

Mr. Speaker:

The Committee on Education, to whom was referred House bill No. 245, offered by Mr. Rhoads, of Vermillion Co., amendatory of sections No. 12, 14, 18, 21, 26, 40, 41 and 42, of the new school law, beg leave to report that we have examined the same, and believe that if said amendments are made, the same would be beneficial. We therefore recommend the passage of said bill with the amendments herewith presented. Amend section 108, which reads as follows, to wit:

Sec. 108. The following fees only shall be charged in cases of mortgages for loans:

To each appraiser,	50
For recording mortgages,	$1 00
For drawing mortgage,	$1 00
For making borrower's affidavit,	10
For clerk's certificate,	50
Recorder's certificate and examining titles, each,	$1 00

Which shall be paid by the borrower.

Be and the same is hereby amended to read,

Sec. 108. The following fees only shall be charged in cases of mortgages for loans:

To each appraiser,	50
For recording mortgage,	$1 00
For drawing mortgage,	$1 00
For making borrower's affidavits,	10
For clerk's certificates,	50
Recorder's certificates and examining titles,	$1 00

Which shall be paid by the borrowers.

Which was laid on the table.

Mr. Boyd, from the Committee on Claims:

Mr. Speaker:

The Committee on Claims, to whom was referred the following

claims, to wit: Jones, Hess & Davis, for the sum of fifteen dollars and fifty cents, and the claim of A. E. Vinton & Co., for the sum of three dollars, beg leave to report that both claims are just, and therefore recommend that they be placed in the specific appropriation bill for payment.

Which was concurred in, and the resolution referred to the Committee on Ways and Means.

Mr. Major, from the Committee on Fees and Salaries:

MR. SPEAKER:

The Committee on Fees and Salaries, to whom was referred Senate bill No. 120, entitled "a bill empowering District Prosecuting Attorneys to administer oaths in the discharge of their duties, have considered the same, and have directed me to report it back, recommending its passage.

Which was concurred in.

Mr. Hamrick, from the Committee on Corporations:

MR. SPEAKER:

The Committee on Corporations, to whom was referred Senate bill No. 199, to amend the charter of the Indianapolis Insurance Company, have had the same under consideration, and have directed me to report the same back, without amendment, and recommend its passage.

Which was concurred in.

BILLS INTRODUCED.

By Mr. Trusler:

House bill No. 256. A bill for the Incorporation of Hydraulic Companies, and defining their powers and duties.

Which was read a first time, and referred to the Committee on Corporations.

By Mr. Sim:

House bill No. 257. A bill requiring Railroad Companies to furnish transportation for freight to persons desiring to ship live stock

r other freight over their roads, and requiring such roads to charge uniform rate therefor.

Which was read a first time, and referred to the Committee on Railroads.

Mr. Milroy offered, by consent, the following resolution:

Resolved, That the Committee on Railroads be instructed to eport, by bill or otherwise, a law compelling all Railroad Companies n this State to carry all freight that may be required by the people f this State.

Which was agreed to.

By Mr. Cox:

House bill No. 258. A bill to amend section 14 of an act entitled an act to provide for the more uniform mode of doing township usiness, prescribing the duties of certain officers in connection there-ith, and to repeal all laws conflicting therewith," approved Feb. 8, 1859.

Which was read a first time, and referred to the Committee on County and Township business.

Mr. Lopp, by consent, offered the following resolution:

Resolved, That the Committee on County and Township Business e instructed to inquire into the expediency of reducing the number f justices of the peace and constables to one in each township, and eport by bill or otherwise.

Which was concurred in, and the resolution referred to the Committee on County and Township Business.

By Mr. Upson:

House bill No. 259. A bill to fix the time of holding the Court of Common Pleas in the county of Kosciusco, and the length of the erm thereof, and repealing all laws inconsistent therewith.

Which was read a first time, and on motion, referred to the Committee on Organization of Courts of Justice.

By Mr. Gregory, of Warren:

A bill to provide compensation to owners of animals killed or

injured by the rolling stock of any railroad when such road is no fenced, excepting at places not proper to be fenced, repealing al laws inconsistent therewith, and declaring an emergency.

Which was read a first time, and referred to the Committee on Railroads.

Mr. Higgins, by consent, offered the following resolutions:

Resolved, That the Wardens of the State Prisons, respectively, b instructed to report to this House, at an early a day as possible,

1st. The average expense per day for provisioning each prisone in their charge, during the month of October last.

2d. The average number of days each prisoner, working unde contract, has labored per month, for the months of August, Septem ber and October, 1865.

3d. A copy of contract under which their prisoners are no working, also copies of contracts for use of motive power used i prison.

Which was agreed to.

By Mr. Church:

House bill No. 261. A bill to amend the one hundred and eight section of an act entitled "an act to revise simplify and abridge th rules, practice, pleadings and forms in civil cases in the Courts of th State; to abolish distinct forms of action at law, and to provide fo the administration of justice in a uniform mode of pleading and prac tice, without distinction between law and equity, and repealing a laws in conflict therewith.

Which was read a first time, and referred to the Committee o Organization of Courts of Justice.

By Mr. Crook:

House bill No. 262. A bill to amend section ten of an act entitle "an act to provide for the government and discipline of the Stat Prison, and to repeal an act to provide for the government and dis cipline of the State Prison, approved March 3, 1855, and all laws o parts of laws inconsistent herewith, approved, Feb. 5, 1857.

Which was read a first time, and referred to the Committee o State Prison South.

By Mr. Hoover:

House bill No. 263. A bill to provide by law to prevent conductors running railroad trains from obstructing public highways, to the hindrance of trade.

Which was read a first time, and referred to the Committee on Roads.

By Mr. Shoaff of Allen:

House bill No. 264. A bill to amend the fourth and seventh clauses of an act entitled "an act regulating the granting of divorce, nullification of marriages, and decrees and orders of Court incident thereto," approved May 13, 1852.

Which was read a first time, and referred to the Committee on the Judiciary.

By Mr. Caldwell:

House bill No. 265. A bill to amend an act entitled "an act to provide for a uniform mode of doing township business, prescribing the duties of certain officers in connection therewith, and to repeal all laws conflicting with this act, approved Feb. 18, 1859.

Read a first time, and referred to Committee on County and Township Business.

By Mr. Wright:

House bill No. 266. A bill allowing clerks of courts a percentage upon all monies by them received and paid out from any executor, administrator, guardian, commissioner or trustee of estates of persons deceased.

Read a first time, and referred to the Committee on Fees and Salaries.

By Mr. Lasselle:

House bill No. 267. A bill to amend section one of an act entitled "an act authorizing county auditors to call a special term of the board of county commissioners, whenever the interest of the county may demand it," approved Feb. 2, 1855.

Read a first time, and referred to the Committee on County and Township Business.

By Mr. Stivers:

House bill No. 268. A bill to amend section 104 of an act entitled "an act to amend sections 78, 79, 94, 95, 104, 142 and 143, of an act entitled 'an act to provide for the valuation and assessment of the real and personal property, and the collection of taxes in the State of Indiana,'" &c., &c.

Read a first time, and referred to the Committee on Fees and Salaries.

By Mr. Henricks:

House bill No. 269. A bill to make an appropriation to pay the balance of the quota of this State of the expenses of the Soldiers' National Cemetery at Gettysburgh, Pennsylvania, as assessed by the Board of Managers of said Association.

Which was read a first time, and referred to the Committee on Ways and Means.

By Mr. Gregory of Montgomery:

House bill No. 270. A bill fixing the *per diem* and mileage of members of the General Assembly, secretaries, clerks and doorkeepers thereof.

Which was read a first time, and referred to the Committee on Public Expenditures.

By Mr. Bonner:

House bill No. 271. A bill entitled "an act to allow County Commissioners to organize dirt road companies, where three fifths of the persons representing the real estate within prescribed limits, petition for the same, and to levy a tax for its construction.

Which was read a first time, and referred to the Committee on Roads.

By Mr. Shoaff, of Jay:

House bill No. 272. A bill to amend sections one and two of an act entitled "an act fixing the time for holding the Circuit Courts in the Thirteenth Judicial Circuit, regulating the length of the terms thereof, and repealing all laws inconsistent therewith," which act was approved by operation of law on the 17th day of March 1861.

Read a first time and referred to a select committee of members from the Judicial District, concerned.

By Mr. Lemon:

House bill No. 273. A bill to more effectually enforce the thirteenth article of the Constitution of the State of Indiana, and the laws made in pursuance thereof, and making it obligatory on the Governor to see that the laws be faithfully executed, and if need be, call out the militia for the enforcement of the same.

Read a first time and referred to the Committee on Rights and Privileges.

By Mr. Brown:

House bill No. 274. A bill to repeal an act entitled "an act to discourage the keeping of useless and sheep-killing dogs, and providing penalties for the violation of any of the provisions of said act, by officers and others; and also repealing an act to license dogs, approved March 11, 1861, and providing that nothing in this act shall be so construed as to conflict with the provisions of an act for the protection of sheep," approved June 15, 1852; approved March 2, 1865.

Which was read a first time and referred to the Committee on County and Township Business.

By Mr. Shoaff, of Jay:

House bill No. 275. A bill to amend section two of an act entitled "an act to amend the fourteenth and eighteenth sections of an an act entitled an act to fix the times of holding the Common Pleas Courts in the several counties of this State, the duration of the terms thereof, and making all process from the present Common Pleas Courts returnable to such terms, and declaring when this act shall take effect, and repealing all laws inconsistent therewith," approved May 11, 1861.

Which was read a first time and referred to a special committee of members from the several counties interested therein.

By Mr. Lasselle:

House bill No. 276. A bill to authorize county auditors to issue

fee-bills for the collection of costs accrued before county commissioners.

Which was read a first time and referred to the Committee on Fees and Salaries.

Mr. Newcomb, by consent, offered the following resolution:

Resolved, That the Adjutant General be requested to report to the House, the amount unexpended of the appropriations made for his office at the last regular session of the General Assembly, for the year 1865, together with his estimate of the amount that will necessarily be required of the appropriations made for the year 1866 and that he further report the amount of clerical force that will, in his opinion, be necessary for the proper performance of the duties of his office for the year 1866, and a statement of the work remaining to be completed, which is not a part of the ordinary and regular business of the office.

Which was concurred in.

Mr. Gregory, of Montgomery, by consent, offered the following resolution:

Resolved, That Hon. S. C. Crane have the use of this Hall next Friday evening, to deliver a lecture on "Life in this Fast Age and Fast Country."

Which was agreed to.

The Speaker laid before the House the following message from the Governor:

HON. JOHN U. PETTIT, *Speaker of the House of Representatives:*

SIR: Enclosed I send you a copy of a communication from the Surgeon General's office stating the terms upon which the Triple General Hospital was turned over to the State of Ohio. Please submit it to the House of Representatives.

Respectfully yours,

CONRAD BAKER,

Lieut. Governor acting as Governor.

SURGEON GENERAL'S OFFICE,
WASHINGTON CITY, D. C.,
November 25, 1865.

HON. CONRAD BAKER,
Lieutenant Governor of the State of Indiana, Indianapolis:

SIR: I have the honor to acknowledge the receipt of your letter of the 22d inst., and to inform you that the Tripler General Hospital with an equipment of bedding and furniture was turned over to the State of Ohio. The receipt of the Governor or his legal representative being given for the property.

(Signed.) C. S. CRANE,
Surgeon General, U. S. A.

Referred to Select Committee on Soldiers' Home.

SPECIAL ORDERS.

Joint Resolution No. 4, was taken up.

Mr. Woods moved to refer said Joint Resolution, No. 4, to the Committee on the Judiciary, with the following instructions:

Such committee to enquire whether the resolution is drawn so as to conform to Article 16 of the Constitution, and if found not in accordance with the requirements of said article, they shall report said resolution back to the House in the proper form and shape.

Which was agreed to.

Mr. Osborn, by consent, offered the following resolution:

WHEREAS, There is no law making county orders issued to any individual or individuals a lien for taxes, and

WHEREAS, A large amount of money is lost to the State and counties by reason of persons to whom the same is issued, transferring or selling the same, and not applying said county orders to the payment of taxes due and owing by them; therefore,

Resolved, That a committee of five be appointed to inquire into the expediency of reporting a bill to make said county orders a lien for taxes, that may be due and owing to them on the duplicate or duplicates of their respective counties.

Which was concurred in.

Mr. Cox, by consent, introduced the following resolution:

Resolved, That the Committee on Agriculture be requested to in quire into the propriety of enacting a law giving additional protec tion to the Agricultural and Horticultural interests of this State, b affixing appropriate penalties for trespasses committed, and damage done to fruits, &c., by lawless persons, and report by bill o otherwise.

Which was concurred in. and the resolution referred to th Committee on Agriculture.

Mr. Burnes, by consent, offered the following resolution:

Resolved, That the Committee on the Organization of Courts Justice are hereby instructed to inquire into the expediency reporting a bill making it a misdemeanor for any person or perso to molest or disturb any hired laborer or laborers in the employ any citizen or citizens of the State of Indiana, when engaged at, on his or her way to or from the place of his, her or their labor, when at the residence, or on the farm of their employers.

Which was concurred in, and the resolution referred to the Co mittee on the Organization of Courts of Justice.

By Mr. Gregory, of Warren:

Joint Resolution No. 20. A Joint Resolution instructing o Senators and requesting our Representatives in Congress, for t passage of an act equalizing the pay of soldiers and officers engag in the suppression of the rebellion.

Read a first time, and passed to a second reading.

On motion by Mr. Henricks:

House bill No. 233. A bill entitled an act to provide for the pa ment of loss or damage by fire, and for appointing Appraisers, defi ing their duties, and levying a tax to be placed in the treasury as part of the general fund.

Was taken up, and, on motion, was referred to the Committee Ways and Means.

The Speaker announced the following Select Committee on M Osborn's Resolution No. 31.

Messrs. Osborn, Woods, Boyd, Lasselle and White.

HOUSE BILLS ON SECOND READING.

House bill No. 87. A bill to amend section one of an act entitled "an act to amend an act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in Courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity, approved June 18, 1852," approved Feb. 2, 1855.

Which was read a second time, ordered to be engrossed, and passed to a third reading.

House bill No. 235. A bill to provide for the appointment of a commissioner, who, in conjunction with the various County Auditors of the State, shall examine the records of the school funds held in trust by the counties, for the purpose of determining the amount and safety of said funds, and matters properly connected therewith, providing for the salary of said commission, and making county commissioners and the superintendent of public instruction final referees in cases of disagreement between the said commissioners and the County Auditor.

Was read a second time, and

Mr. Newcomb offered the following amendments:

Strike out of section three the words "three thousand five hundred dollars," and insert "two thousand dollars, and his actual and necessary traveling expenses, which shall be reported to the Auditor of State, under the oath of said commission."

2d, Add, after the words "State Treasury," in said section, the following:—"from the funds raised by taxation for school purposes."

Mr. Burwell moved to indefinitely postpone said bill and amendments.

Mr. Ferris demanded the previous question.

Which was seconded by the House.

The question being, shall the main question be now put?

The question being on the indefinite postponement of said bill,

Mr. Hamrick moved to lay the whole subject on the table.
Which was not agreed to.

The question recurring on indefinitely postponing said bill.

Messrs. Gregory of Warren, and Burwell, demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Bird, Bonner, Boyd, Brown, Burnes, Burton, Burwell, Church, Coffroth, Collins, Cook, Cowgill, Croan, Crook, Davidson, Ferris, Glazebrook, Gleason, Goodman, Groves, Hamrick, Hargrove, Harrison, Henricks, Hershey, Higgins, Hoover, Howard, Humphreys, Hunt, Johnson, Lane, Lee, Lemon, Litson, Lockhart, Lopp, Major, Miller, Milroy, Montgomery, McVey, O'Brien, Osborn, Perigo, Pinney, Prather, Reese, Rhoads, Richards, Richardson, Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Spencer, Stuart, Stenger, Stringer, Stuckey, Thatcher Upson, Veach, Weikel, Welch, White, Woodruff, Wright, Woods and Zeigler —72.

Those who voted in the negative were,

Messrs. Chambers, Cox, Foulke, Gregory of Montgomery, Gregory of Warren, Hoover, Lane, Olleman, Rice, Richards and Mr. Speaker —11.

So House bill No. 235 was indefinitely postponed.

The Speaker announced that he had signed Enrolled Senate Act No. 16.

House bill No. 212. A bill to legalize the appraisement of real estate made under the provisions of an act entitled "an act to provide for the appraisement of real estate, and prescribing the duties of officers in relation thereto, approved Dec. 21, 1858."

Was read a second time, ordered to be engrossed, and passed to a third reading.

Mr. Newcomb moved that it be deemed expedient to suspend the Constitutional rule, requiring bills to be read on three several days and read the bill a third time now.

The ayes and noes were taken under the Constitution.

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Bird, Bonner, Boyd, Burton, Church Coffroth, Collins, Cook, Cowgill, Cox, Croan, Crook, Davidson, Ferris, Foulke, Gleason, Goodman, Gregory of Montgomery, Gregory of Warren, Groves, Hamrick, Hargrove, Harrison, Hershey, Higgins, Hogate, Hoover, Howard, Humphreys Hunt, Johnson, Kilgore, Lane, Lockhart, Major, Montgomery, McVey, Newcomb, O'Brien, Olleman, Osborn, Perigo, Pinney, Reese, Rice, Richards, Richardson, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Spencer, Stuart, Thatcher, Trusler, Upson, Veach, Weikel, Welch, White, Woodruff, Wright, Woods, Zeigler and Mr. Speaker—68.

Those who voted in the negative were,

Messrs. Burnes, Burwell, Glazebrook, Lemon, Litson, Miller, Milroy, Prather and Stuckey—9.

So it was deemed expedient to suspend said Constitutional rule, and said House bill No. 212 was read a third time.

Mr. Litson moved that the House do now adjourn.

Which was not agreed to.

House bill No. 212 was then read a third time, and the question being shall the bill pass?

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Bird, Bonner, Boyd, Brown, Burnes, Burwell, Buskirk, Chambers, Church, Coffroth, Collins, Cook, Cowgill, Cox, Croan, Crook, Davidson, Ferris, Foulke, Glazebrook, Gleason, Goodman, Gregory of Montgomery, Gregory of Warren, Groves, Hamrick, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, Humphreys, Hunt, Johnson, Lemon, Litson, Lockhart, Lopp, Montgomery, McVey, Newcomb, Olleman, Osborn, Perigo, Pinney, Prather, Rice, Richardson, Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Stuart, Stringer, Stuckey, Thatcher, Trusler, Upson, Veach, Weikel, Welch, White, Wright, Woods, Zeigler and Mr. Speaker—73.

None voting in the negative.

So the bill passed.

The question being shall the title, as reported, stand as the title to said bill?

It was agreed to.

Ordered, That the clerk inform the Senate of the passage of said bill.

On motion by Mr. Woods,

The House adjourned.

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2 O'CLOCK, P. M.

House met.

On motion by Mr. Buskirk,

House bill No. 117 was taken from the table and placed on the calender.

HOUSE BILLS ON SECOND READING.

House bill No. 311, was passed over informally.

House bill No. 214. A bill to repeal an act entitled "an act to enforce the 13th article of the Constitution," approved June 18, 1852.

Was taken up, read a second time, and made the special order for Friday next, at 2 o'clock, P. M.

House bill No. 206. A bill to amend section seven of an act entitled "an act to provide for the erection and repair of bridges and to repeal an act entitled an act to provide for the erection and repair of bridges," approved May 12, 1852.

Was read a second time, together with the amendments heretofore reported; amendments were concurred in, and the bill ordered to be engrossed.

House bill No. 223. A bill to prevent the killing of birds.

Was taken up and read a second time.

Mr. Newcomb moved to strike out the emergency clause.
Which was agreed to.

Mr. Spencer moved to further amend by striking out the word "flicker."
Which was not agreed to.

The bill was ordered to be engrossed and passed to a third reading.

SENATE BILLS ON THIRD READING.

Senate bill No. 141 was taken up, read a second time, and referred to the Committee on Corporations.

Senate bill No. 210 was read a second time, and passed to a third reading.

Senate bill No. 145 was read a second time and passed to a third reading.

A message from the Senate, by Mr. Wilson, their Secretary:

MR. SPEAKER:

I am directed by the President of the Senate to inform the House that the Senate has passed the following engrossed bills thereof, to-wit:

Engrossed Senate bill No. 205. Entitled "an act to fix the time of holding the Circuit Court in the several counties composing the Seventh Judicial Circuit, and repealing all laws in conflict therewith: also,

Engrossed Senate bill No. 231. Entitled "an act to legalize and render valid and effective all the orders, judgments and other proceedings, rendered and had, by and before the Common Pleas Court of Clinton county, in this State, and in the Court-House of said county, in the months of October and November, in the year one thousand eight hundred and sixty-five, and then and there, by and before the several judges of the said courts," in which the concurrence of the House is respectfully requested.

Also, that the Senate has passed the following House bills, to wit

House bill No. 12, entitled "a bill to amend the first section of an act entitled 'an act for the protection of religious meetings, agricultural fairs, and other lawful assemblages of the people,'" approved March 3, 1859.

House bill No. 27, entitled "an act to legalize the acknowledgments of all deeds, mortgages and other instruments required to be recorded, taken and certified by notaries public, who took and certified such acknowledgments after the expiration of their commissions."

House bill No. 43, entitled "an act to repeal an act entitled 'an act to establish Courts of Conciliation, to prescribe rules and proceedings therein, and compensation of Judges thereof,'" approved June 11, 1852.

I am further directed to inform the House that the President of the Senate has signed Enrolled Act No. 16 of the Senate, entitled "an act to amend section three hundred and forty-nine of the practice act.

Mr. Prather moved to suspend the regular order of business, and take up the following message from the Senate:

Which was concurred in.

MR. SPEAKER:

I am directed by the President of the Senate to inform the House that the Senate has passed the following resolution thereof, to wit:

Resolved by the Senate, (the House of Representatives concurring) that the message of His Excellency the Governor, in relation to the procuring of a suitable building for State officers, be referred to a committee of three on the part of the Senate, and five on the part of the House, and that the President has appointed, on the part of the Senate, as such Committee, Messrs. Niles, Cobb and Bennett. The concurrence of the House is respectfully requested.

On motion by Mr. Prather,

The resolution was concurred in.

SENATE BILLS ON THIRD READING.

Engrossed Senate bill No. 61. A bill to amend section 1 of an

act containing several provisions regarding landlords, tenants, lessors and lessees, approved May 20, 1852.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Bird, Boyd, Church, Coffroth, Davidson, Gleason, Gregory of Warren, Hargrove, Harrison, Hershey, Howard, Hunt, Johnson, Lane, Lemon, Lockhart, Lopp, McVey, Newcomb, Reese, Rhoads, Richards, Richardson, Roach, Sabin, Shuey, Sim and Mr. Speaker —30

Those who voted in the negative were,

Messrs. Abbett, Atkinson, Bonner, Brown, Burnes, Burton, Burwell, Caldwell, Chambers, Collins, Cook, Croan, Crook, Ferris, Foulke, Glazebrook, Goodman, Gregory of Montgomery, Groves, Hamrick, Hogate, Hoover, Humphreys, Kilgore, Lasselle, Lee, Litson, Major, Meredith, Milroy, Montgomery, O'Brien, Olleman, Osborn, Patterson, Perigo, Pinney, Rice, Shoaff of Allen, Stuart, Stenger, Stringer, Stuckey, Thatcher, Trusler, Upson, Veach, Weikel, Welch, White, Woodruff, Wright and Woods—52.

So the bill was lost.

Senate bill No. 84. A bill to amend section two of an act entitled "an act prescribing the powers and duties of Justices of the Peace in State prosecutions," approved May 29, 1852, so as to authorize the reviver of a warrant throughout the State.

Which was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Bird, Bonner, Boyd, Brown, Burnes, Burton, Burwell, Caldwell, Chambers, Church, Collins, Cook, Croan, Crook, Davidson, Ferris, Foulke, Glazebrook, Gleason, Goodman, Gregory of Montgomery, Gregory of Warren, Groves, Hamrick, Hargrove, Harrison, Hershey, Hogate, Hoover, Howard, Humphreys, Hunt, Johnson, Lane, Lasselle, Lee, Lemon, Litson, Lockhart, Lopp,

Major, Montgomery, McVey, Newcomb, O'Brien, Olleman, Osborn, Perigo, Pinney, Prather, Reese, Rhoads, Rice, Richardson, Roach, Sabin, Shoaff of Allen, Shuey, Sim, Spencer, Stuart, Stringer, Stuckey, Thatcher, Trusler, Upson, Veach, Weikel, Welch, White, Woodruff, Wright, Woods Zeigler and Mr. Speaker—75.

None voted in the negative.

So the bill passed.

The question being, shall the title, as read, stand as the title of said bill?

It was so ordered.

Ordered, That the Clerk inform the Senate of the passage of said bill.

Engrossed Senate bill No. 4. A bill to provide for the making and authentication of transcripts from the records of the recorder's office in certain cases, and for the admissibility in evidence of the same, and certified copies of the deeds and mortgages contained therein.

Which was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Bonner, Boyd, Burnes, Burton, Burwell, Caldwell, Chambers, Church, Collins, Cook, Croan, Crook, Davidson, Ferris, Gleason, Goodman, Gregory of Warren, Groves, Hamrick, Hargrove, Harrison, Hershey, Hogate, Hoover, Howard, Humphreys, Hunt, Johnson, Kilgore, Lasselle, Lemon, Litson, Lockhart, Lopp, Major, Meredith, Montgomery, McVey, Newcomb, O'Brien, Olleman, Osborn, Perigo, Pinney, Prather, Reese, Rhoads, Rice, Richardson, Roach, Sabin, Shoaff of Allen, Shuey, Spencer, Stuart, Stringer, Stuckey, Thatcher, Trusler, Upson, Veach, Weikel, Welch, White, Woodruff, Wright and Woods—69.

Those who voted in the negative were,

Messrs. Gleason, Lane and Lee—3.

So the bill passed.

The question being, shall the title as read, stand as the title of the bill?

It was so ordered.

Ordered, That the Clerk inform the Senate of the passage of said bill.

Engrossed Senate bill No. 25. A bill defining certain misdemeanors, and prescribing punishment therefor.

Which was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Bird, Bonner, Burnes, Burton, Chambers, Church, Coffroth, Cook, Croan, Crook, Davidson, Ferris, Glazebrook, Gleason, Goodman, Gregory of Montgomery, Gregory of Warren, Groves, Hamrick, Hargrove, Harrison, Hershey, Hogate, Hoover, Howard, Humphreys, Hunt, Johnson, Kilgore, Lane, Lasselle, Lee, Litson, Lockhart, Lopp, Major, Meredith, Montgomery, McVey, Newcomb, O'Brien, Olleman, Osborn, Perigo, Pinney, Reese, Rhoads, Rice, Roach, Shuey, Sim, Spencer, Stuart, Stringer, Stuckey, Thatcher, Trusler, Upson, Veach, Welch, White, Woodruff, Wright and Woods—66.

Those who voted in the negative were,

Messrs. Collins, Lemon Prather, Richardson and Weikel—5.

So the bill passed.

The question being, shall the title of the bill, as read, stand as the title of said bill?

It was so ordered.

Ordered, That the clerk inform the Senate of the passage of said bill.

Engrossed Senate bill No. 70. A bill for the relief of any person, plaintiff in execution, all officers to whom executions may be

issued on any judgment, and sureties and co-sureties in certain cases.

Which was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Bird, Bonner, Boyd, Burton, Caldwell, Chambers, Ferris, Foulke, Gleason, Gregory of Montgomery, Gregory of Warren, Hargrove, Harrison, Howard, Humphreys, Hunt, Johnson, Lee, Lockhart, Meredith, McVey, Prather, Rhoads, Rice, Shuey, Sim, Trusler, Veach, Woodruff and Zeigler—32.

Those who voted in the negative were,

Messrs. Brown, Collins, Croan, Crook, Glazebrook, Goodman, Groves, Hamrick, Hershey, Hogate. Hoover, Lane, Lemon, Lopp, Major, Milroy, Newcomb, O'Brien, Olleman, Osborn, Perigo, Pinney, Reese, Richardson, Roach, Spencer, Stuart, Stringer, Stuckey, Thatcher, Upson, Weikel, Welch, White, Wright and Woods—36.

So the bill was lost.

Engrossed Senate bill No. 115. A bill to amend section eleven of an act concerning county prisons, approved May 27, 1852.

Which was read a third time.

And the question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Atkinson, Bird, Bonner, Boyd, Burton, Caldwell, Chambers, Church, Cook, Croan, Crook, Davidson, Ferris, Foulke, Gleason, Goodman, Gregory of Montgomery, Gregory of Warren, Hamrick, Hargrove, Harrison, Hershey, Hogate, Hoover, Howard, Humphreys, Hunt, Johnson, Lane, Lasselle, Lee, Lemon, Lockhart, Lopp, Major, Meredith, Milroy, Montgomery, Olleman, Perigo, Pinney, Prather, Reese, Rhoads, Rice, Richardson, Sabin, Shoaff of Allen, Shuey, Spencer, Stuart, Thatcher, Trusler, Upson, Veach, Weikel, Welch, White, Woodruff, Wright, Woods, Zeigler and Mr. Speaker—65.

Those who voted in the negative were,

Messrs. Collins, Glazebrook, Groves, Stringer and Stuckey—5.

So the bill passed.

The question being, shall the title, as read, stand as the title to said bill?

It was so ordered.

Ordered, That the clerk inform the Senate of the passage of said bill.

Engrossed Senate bill No. 82. A bill to authorize cities to prepare, execute, negotiate and sell bonds, to provide means to complete unfinished school buildings, and to pay debts contracted for the erection of school buildings and to authorize the levy and collection of an additional special tax, to provide means for the payment of the interest and principal of such bonds.

Was read a third time, together with amendments heretofore adopted.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Atkinson, Bonner, Boyd, Chambers, Church Cook, Crook, Davidson, Ferris, Foulke, Gleason, Goodman, Gregory of Montgomery, Gregory of Warren, Groves, Hamrick, Harrison, Hershey, Hogate, Howard, Johnson, Lane, Lasselle, Lockhart, Major, Meredith, Montgomery, McVey, Newcomb, Olleman, Osborn, Prather, Reese, Rhoads, Rice, Richardson, Roach, Sabin, Shoaff of Allen, Shuey, Sim, Stuart, Stuckey, Thatcher, Upson, Veach, Welch, Woodruff, Wright, Woods, Zeigler and Mr. Speaker—51.

Those who voted in the negative were,

Messrs. Bird, Burton, Collins, Croan, Glazebrook, Hargrove, Hoover, Humphreys, Hunt, Lee, Lemon, Lopp, Milroy, Perigo, Stringer, Weikel and White—17.

So the bill passed.

The question being, shall the title of the bill, as read, stand as the title to said bill?

It was so ordered.

Ordered, That the clerk inform the Senate of the passage of said bill.

Senate bill No. 99. A bill requiring clerks of the Circuit Courts and Courts of Common Pleas, to make indexes to the Record Books of their respective offices.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Bonner, Boyd, Brown, Burnes, Chambers, Cox, Foulke, Gregory of Warren, Hogate, Howard, Kilgore, Lasselle, Litson, Meredith, Shuey, Trusler and Mr. Speaker—17.

Those who voted in the negative were,

Messrs. Atkinson, Bird, Burton, Caldwell, Church, Collins, Cook, Croan, Crook, Davidson, Ferris, Glazebrook, Gleason, Goodman, Groves, Hamrick, Hargrove, Hershey, Hoover, Humphreys, Hunt, Johnson, Lane, Lee, Lemon, Lockhart, Lopp, Milroy, Montgomery, Newcomb, O'Brien, Olleman, Osborn, Perigo, Pinney, Prather, Rhoads, Rice, Richardson, Roach, Sabin, Shoaff of Allen, Spencer, Stuart, Stringer, Stuckey, Thatcher, Upson, Weikel, Welch, White, Woodruff, Wright, Woods and Zeigler—55.

So the bill was lost.

Mr. Spencer moved to suspend the order of business whereby Joint Resolution No. 1 was made the special order for 7 o'clock this evening and that said Joint Resolution No. 1, be made the order of the day for Wednesday evening next at 7 o'clock.

Which was agreed to.

Mr. Brown moved that when the House adjourn, it meet at o'clock, to-morrow.

Mr. Boyd moved to amend by substituting 2 o'clock P. M., to-morrow.

Which was agreed to.

Mr. Groves asked leave of absence for the Committee on State Prison South from Thursday until Saturday next.

Mr. Brown moved to amend the request by allowing the Chairman and two members leave.

Which was agreed to.

Mr. Brown moved to lay the request on the table.

Which was agreed to.

HOUSE BILLS ON THIRD READING.

House bill No. 82. A bill concerning the creation of Corporations for the purpose of maintaining High Schools within the State, and giving the requisite powers to such corporations.

Which was taken up and read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Atkinson, Bonner, Boyd, Brown, Burnes, Caldwell, Chambers, Church, Cook, Crook, Davidson, Ferris, Foulke, Gleason, Gregory of Warren, Groves, Hamrick, Hershey, Hogate, Hoover, Howard, Lane, Lee, Litson, Lockhart, Lopp, Major, Meredith Milroy, Montgomery, McVey, Newcomb, Olleman, Perigo, Pinney, Prather, Rhoads, Rice, Richardson, Roach, Shoaff of Allen, Shuey, Stuart, Stuckey, Trusler, Upson, Veach, Weikel, Welch, Woodruff, Wright, Woods, Zeigler and Mr. Speaker—54.

Those who voted in the negative were,

Messrs. Bird, Burton, Collins, Croan, Glazebrook, Hargrove, Humphreys, Hunt, Lasselle, Lemon, O'Brien, Osborn, Sabin, Spencer and Stringer—15.

So the bill passed.

The question being, shall the title, as read, be the title of said bill?

It was so ordered.

Ordered, That the Clerk inform the Senate of the passage of said bill.

The Speaker announced the following Select Committee on Concurrent Resolution of the Senate.

Messrs. Prather, Gleason, Buskirk, Newcomb and Brown.

Mr. Prather moved to suspend the order of business, and take up Senate bill No. 21.

Which was not agreed to.

On motion by Mr. Spencer,

The House adjourned until to-morrow at 2 o'clock, P. M.

MONDAY, 2 o'clock, P. M., November, 29, 1865.

House met pursuant to adjournment.

On motion by Mr. Montgomery,

The reading of the Journal was dispensed with.

REPORTS OF COMMITTEES.

Mr. Coffroth, from the Committee on the Judiciary, made the following report:

Mr. Speaker:

The Judiciary Committee, to whom was referred House bill No. 254, entitled "an act to amend sections 5, 14 and 17 of an act entitled 'an act incorporating the town of Huntington,' appro

Feb. 16, 1848," have had the same under consideration, and have instructed me to report the same back, and to recommend its passage.

Which was laid on the table.

PETITIONS, MEMORIALS AND REMONSTRANCES.

By Mr. Gregory, of Montgomery:

A petition from sundry citizens of Montgomery county on the subject of Temperance.

Which was referred to the Committee on Temperance.

By Mr. Montgomery:

A petition from sundry citizens of Howard county on the subject of Temperance.

Which was referred to the same committee.

By Mr. Lane:

A petition from sundry citizens of Bainbridge, Ind., on the subject of Temperance.

Which was referred to the same committee.

By Mr. Sullivan, of Scott:

A petition from sundry citizens of Scott county on the subject of Temperance.

Which was referred to the same committee.

By Mr. Hoover:

Several petitions from the county of Knox on the subject of Temperance.

Which were referred to the same committee.

By Mr. Zeigler:

Several petitions from the county of Miami on the subject of Temperance.

Which were referred to the same committee,

By Mr. Atkinson :

Several petitions from the county of Benton on the subject of Temperance.

Which were referred to the same committee.

The Speaker laid before the House a memorial from citizens of Cass county, on the subject of Temperance.

Which was referred to the Committee on Temperance.

SPECIAL ORDERS FOR THE DAY,

The hour having arrived for the consideration of the special order of the day.

House bill No. 218. A bill to amend sections three and four of an act entitled "an act to regulate and license the sale of spirituous, vinous, malt and other intoxicating liquors, to prohibit the adulteration of liquors, to repeal all former laws contravening the provisions of this act, and prescribing penalties for the violation thereof," approved March 5, 1859, and prescribing penalties in case of a second or subsequent conviction.

Which was taken up.

Mr. Newcomb moved that the bill be recommitted to a special committee of five with the following instructions :

That section three of an act entitled "an act to regulate and license the the sale of spirituous, vinous, malt and other intoxicating liquors, to prohibit the adulteration of liquors, to repeal all former laws contravening the provisions of this act, and prescribing penalties for the violation thereof," approved March 5, 1859, which reads as follows to-wit :

SEC. 3. Any white male inhabitant, desiring to obtain a license to sell intoxicating liquors, shall give notice to the citizens of the township in which he desires to sell, by publishing, in a weekly newspaper in said county, a notice, stating in the notice the precise location of the premises in which he desires to sell, at least twenty days before the meeting of the board at which he intends to apply for license, or in case there is no such newspapers in such county, then by posting up written or printed notices in three of the most public places in the township in which he desires to sell, at least

twenty days before the meeting of such board, and it shall be the privileges of any inhabitant of said township to remonstrate, in writing, against the granting of such license to any applicant, on account of immorality or other unfitness," be and the same is hereby amended to read as follows, to-wit:

All persons who shall hereafter sell any intoxicating liquors, by a less quantity than a quart, or who shall sell such liquors by a larger quantity than one quart at a time to be drank, on the premises where sold, shall be denominated retailers of intoxicating liquors, and such retailers are hereby divided into two classes, to-wit:

Such as shall sell ale, beer, wine or other malt or vinous liquors, the product of fermentation, as contradistinguished from distillation, and which are not mixed with distilled liquors shall be denominated retailers of the first class; and second:

Such as shall sell whisky, brandy, gin, rum, or any other liquors which are produced by distillation, in whole or in part, shall be denominated retailers of the second class.

Any white male inhabitant over the age of twenty-one years desiring to obtain license to sell intoxicating liquors, shall give notice to the citizens of the township in which he desires to sell, by publishing in a newspaper, in the county, a notice, stating therein the precise location of the premises in which he desires to sell, and the class of license for which he intends to apply, which publication shall be made at least six times in a daily newspaper, printed in the English language, if one be published in such county, for fourteen days prior to the regular session of the Board of County Commissioners at which the applicant intends to apply for license, and if there be no daily newspaper printed in such county, then the publination shall be for two successive weeks at least twenty days before the regular session of such board, in any weekly newspaper printed in such county, and if there be printed in such county a newspaper in the German language, then there shall be, also, similar publications made therein.

And in case there shall be no newspaper printed in such county, then by posting up written or printed notices in five of the most public places of the township in which he desires to sell, at least twenty days before the meeting of said board, and it shall be the privilege of any inhabitant of said township to remonstrate, in

writing, against the granting of such license to any applicant on account of immorality or other unfitness.

SEC. 2. Section four of the above recited act which reads as follows, to-wit:

The Board of County Commissioners, at such term, shall grant a license to such applicant upon his showing to the satisfaction of said Board of Commissioners that he has given the notice as above required, and that he is a man of good character and fit to be trusted with said license, and upon his giving bond payable to the State of Indiana, with at least two freehold sureties, residents within said county, to be approved by the county auditor, in the sum of five hundred dollars, conditioned that he will keep an orderly and peaceable house, and that he will pay all fines and costs that may be assessed against him, for any violation of the provisions of this act, which bond shall be filed with the county auditor of said county, be and the same is hereby amended so as to read as follows, to-wit:

SEC. 4. The Board of County Commissioners, at such term, shall grant a license to such applicant upon his presenting to said board to be filed with the records of the same, a petition signed by twenty-five bona fide resident tax payers and voters of the ward of the city where the premises are located on which the liquor is to be sold, or if the premises are not within the corporate limits of a city, then such petition shall be signed by at least forty bona fide resident tax payers and voters of the township wherein the premises are located in which the liquor is to be sold, which petition shall clearly set forth, that said applicant is a man of good character and fit to be trusted with such license and such applicant shall prove to the satisfaction of said board, that such petitioners are bona fide resident and tax payers of such ward or township, and that the facts in such petition are true, and that he has given the notice above required and if such board shall be satisfied that the applicant is a suitable person to be trusted with such license and that the notice hereinbefore required has been given, and the petition and testimony hereinbefore stated, has been duly filed and heard, license shall issue to such applicant, upon his giving bond to the State of Indiana, with at least two freehold sureties, residents of said county, to be approved by the county auditor as follows, to-wit:

Said retailers of the first class in the sum of five hundred dollars, and said retailers of the second class in the sum of one thousand dollars, conditioned that he will pay all fines and costs that may be assessed against him for any violation of any of the provisions of this act, and of the act to which this is an amendment, which bond shall be filed with the county auditor of such county.

SEC. 3. And that section five of the above recited act, which reads as follows, to-wit:

"SEC. 5. Such applicant shall, before license shall issue to him, be requested to pay to the treasurer of said county fifty dollars, as a fee for license for one year, to be applied and expended for common school purposes, in the same manner in which the revenues of the common school fund are, or may be expended," be, and the same is hereby amended so as to read as follows:

SEC. 5. Said applicant shall, before license shall issue to him, be required to pay to the treasurer of said county for the benefit of common schools the sums of money herein stated as follows, to-wit: For a license as retailer of the first class, forty dollars. For a license as a retailer of the second class, two hundred and fifty dollars, as a fee for license for one year from the date thereof.

SEC. 4. And that section twelve of the above recited act which reads as follows, to-wit:

"SEC. 12. Any person who shall adulterate any intoxicating liquor, which is intended for sale, by the admixture of any deleterious substance therewith, or any person who shall offer for sale or sell any intoxicating liquor, which shall have been so adulterated as aforesaid, on conviction thereof shall be fined in any sum not less than fifty dollars, nor more than five hundred dollars, to which the court or jury trying the cause may add imprisonment in the county jail for any determined period not exceeding three months," be, and the same is hereby amended so as to read as follows, to-wit:

SEC. 12. Any person who shall adulterate any intoxicating liquor which is intended for sale, by the admixture of any deleterious substance therewith, or any person who shall offer for sale or sell any intoxicating liquor, which shall have been so adulterated as aforesaid, on conviction thereof, shall be fined in any sum not less than fifty dollars nor more than five hundred dollars, to which the

court or jury trying the cause may add imprisonment in the county jail for any determined period not exceeding three months; and in any suit brought to recover the price or value of any intoxicating liquor, it shall be a sufficient defence thereto to allege and prove that the same was adulterated in the manner aforesaid.

SEC. 5. Any minor over the age of sixteen years, who shall falsely represent himself to any licensed retailer of intoxicating liquors, to be over the age of twenty-one years, and by such representation shall induce any such retailer to sell or give to him, said minor, any intoxicating liquor, shall, on conviction thereof be fined in any sum not less than five nor more than twenty five dollars.

SEC. 6. Any person not being licensed according to the provisions of this act, who shall sell or barter directly or indirectly, intoxicating liquors in less quantity than a quart at a time, or who shall sell or barter any intoxicating liquor to be drank or suffered to be drank, in his house, out-house, yard, garden, or the appurtenances thereto belonging, or any person being licensed according to the provisions who shall sell or barter directly or indirectly, any intoxicating liquors not authorized by his license, shall be subject to the like penalties, as are prescribed by section ten of the act to which this is an amendment.

SEC. 7. Upon a second conviction for violating any of the provisions of this act, or of the act to which this is an amendment, or if any retailer of the first class, as above designated, shall directly or indirectly sell, barter or give away any distilled liquors, or any vinous, malt or fermented liquors, mixed with any distilled liquors upon a second conviction for such offence, it may, in the discretion of the Judge trying such cause be a part of the judgment of the court that the license granted to such offender shall be revoked and canceled, and no license shall issue to such offender for the space of one year from and after the date of such conviction.

Mr. Brown moved to lay the motion to re-commit, and substitute, on the table.

Messrs. Higgins and Newcomb demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Boyd, Brown, Burton, Buskirk, Chambers, Coffroth, Collins, Cox, Crook, Davidson, Dunham, Ferris, Glea-

son, Gregory of Montgomery, Gregory of Warren, Hamrick, Hogate, Hoover, Humphreys, Hunt, Johnson, Lane, Milroy, Montgomery, Osborn, Patterson, Pinney, Prather, Reese, Rhoads, Richardson, Roach, Sabin, Shoaff of Jay, Shuey, Spencer, Stuart, Stenger, Stringer, Stuckey, Sullivan of Scott, Sullivan of P. & V., Thatcher, Upson, Veach, Weikel, Woodruff and Zeigler—53.

Those who voted in the negative were,

Messrs. Bonner, Branham, Burnes, Caldwell, Cook, Cowgill, Croan, Foulke, Glazebrook, Goodman, Groves, Hargrove, Henricks, Hershey, Higgins, Howard, Kilgore, Litson, Lockhart, Lopp, Major, Miller, McVey, Newcomb, O'Brien, Olleman, Perigo, Rice, Sim, Trusler, Welch, White, Wright, Woods and Mr. Speaker—34.

So the motion to recommit was laid on the table.

Mr. Higgins moved to re-commit to a special committee, with the following instructions:

In sec. 3, line 9, strike out the words "one half," and insert "one fourth."

In sec. 3, line 11, strike out the word "majority," and insert "one fourth"

Mr. Brown moved to lay the motion on the table.

Messrs. Newcomb and Brown demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Bonner, Boyd, Brown, Burwell, Buskirk, Chambers, Coffroth, Collins, Cox, Croan, Crook, Davidson, Dunham, Ferris, Glazebrook, Gregory of Montgomery, Gregory of Warren, Hamrick, Henricks, Hershey, Hogate, Hoover, Johnson, Lane, Lemon, Major, Milroy, Montgomery, Olleman, Pinney, Prather, Reese, Rhoads, Richardson, Sabin, Shoaff of Jay, Shuey, Spencer, Stuart, Stringer, Stuckey, Sullivan of Posey and Vanderburg, Upson, Veach, Weikel, Welch, Wright, Woods and Zeigler —51.

Those who voted in the negative were,

Messrs. Burnes, Burton, Caldwell, Church, Cook, Cowgill, Foulke

Gleason, Goodman, Groves, Hargrove, Higgins, Howard, Humphreys, Hunt, Kilgore, Lasselle, Litson, Lockhart, Lopp, McVey, Newcomb, Osborn, Patterson, Perigo, Rice, Roach, Sim, Stenger, Sullivan of Scott, Thatcher, Trusler, White, Woodruff and Mr. Speaker—35.

So the motion was laid on the table.

Mr. Litson moved to re-commit to a special committee, with the following instructions:

I move to recommit the bill with instructions to strike out all that part that requires a majority of legal voters to sign the petition, and amend so that if a majority protest, no license shall be granted.

Mr. Brown moved to lay the motion on the table.

Messrs. Newcomb and Brown demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Bonner, Brown, Burton, Burwell, Buskirk, Chambers, Coffroth, Collins, Cox, Croan, Davidson, Dunham, Ferris, Glazebrook, Gleason, Gregory of Montgomery, Gregory of Warren, Hamrick, Hershey, Hogate, Hoover, Hunt, Johnson, Lane, Lee, Major, Milroy, Montgomery, Olleman, Pinney, Prather, Reese, Rhoads, Richardson, Sabin, Spencer, Stenger, Stivers, Stringer, Sullivan of P. & V., Thatcher, Upson, Veach, Welch, Woods and Zeigler —48.

Those who voted in the negative were,

Messrs. Boyd, Branham, Burnes, Church, Cook, Cowgill, Crook, Foulke, Goodman, Groves, Henricks, Higgins, Howard, Humphreys, Kilgore, Lasselle, Lemon, Litson, Lopp, Miller, McVey, Newcomb, Osborn, Perigo, Rice, Roach, Shoaff of Jay, Sim, Stuart, Stuckey, Sullivan of Scott, Trusler, Weikel, White, Woodruff, Wright and Mr. peaker—37.

So the motion to recommit was laid on the table.

Mr. Coffroth moved the previous question.

Which was not seconded.

Mr. Zeigler moved that the House do now adjourn.
Which was not agreed to.

Mr. Henricks moved that when the House adjourn, it meet again at 7 o'clock, this P. M.
Which was not agreed to.

Mr. Burwell moved to postpone the further consideration of said bill till to-morrow at 2 o'clock, P. M.

Mr. Wright moved to amend by making it the special order for 7 o'clock to-morrow evening.
Which was not agreed to.

The question being on the motion made by Mr. Burwell,
It was agreed to.

On motion by Mr. Coffroth,
The House adjourned till to-morrow morning at 9 o'clock.

THURSDAY MORNING, 9 o'clock.
November 30, 1865.

House met pursuant to adjournment.

The Clerk proceeded to read the Journal, when,
On motion by Mr. Wright,
The further reading of the Journal was dispensed with.

PETITIONS, MEMORIALS AND REMONSTRANCES.

By Mr. Trusler:

A petition signed by the commissioners of Fayette county, recommending the repeal of the soldier's relief law.

Referred to a special committee on Soldiers' Home.

By Mr. Foulke:

A petition signed by Frederick Walterman and six hundred others, citizens of Wayne county, on the subject of Temperance.

Referred to Committee on Temperance.

By Mr. Rice:

The petition of John T. Campbell, of Parke county.

Your petitioner, a citizen of Parke county, prays your honorable body to so change the Road Law of this State, as to have all roads worked by contract, said contract to be let to the lowest responsible bidder, and paid by taxation, allowing the road tax to be worked out as now, but subject to the agreement between the tax payer and the contractor as to the kind of work, and the price for it. Said law to limit the expenditures per mile for each year, and to discriminate between the expenditures on level, swampy and hilly ground. And, further, make the township trustee the road master of the township, and pay him more for his work.

Which was read, and referred to the Committee on Roads.

By Mr. Sullivan of Scott:

A petition signed by sundry citizens of Scott county, asking a repeal of the dog laws.

Referred to the Committee on the Rights and Privileges of the Inhabitants of the State.

By Mr. Lasselle:

A petition signed by sundry attorneys of Logansport, for changing the act fixing time of holding courts in Cass county, approved Jan. 31, 1865.

Referred to Committee on Courts of Justice.

By Mr. Montgomery:

A petition signed by sundry citizens of Howard county on the subject of Temperance.

Referred to the Committee on Temperance.

Mr. Newcomb, from the Committee on the Judiciary, made the following report:

MR. SPEAKER:

The Judiciary Committee, to whom was referred House bill No. 255, entitled "an act supplemental to an act entitled 'an act for the incorporation of Insurance Companies, defining their powers and prescribing their duties,' approved June 17, 1852," respectfully report that they have had the same under consideration, and recommend its passage.

Which was laid on the table.

Mr. Branham, from the Committee on Ways and Means, made the following report:

MR. SPEAKER:

The Joint Committee, to whom was referred so much of the Governor's Message as relates to the public debt, have had the same under consideration, and have directed me to report the following bill;

Which report was laid on the table.

Mr. Newcomb, from the Judiciary Committee, made the following report:

MR. SPEAKER:

The Judiciary Committee, to whom was referred House bill No. 18, entitled "a bill to provide for the publication of notice to, or service of summons on non-residents, on complaint for new trial," respectfully report that they have had the same under consideration, and recommend the following amendments:

Strike out the words "publication or," in the 11th line, and strike out the words "or publication had," in the 15th line, and add to the end of the 1st section, "or such notice may be served on the attorney or attorneys of record of the adverse party in the cause in which the new trial is sought."

And, upon the adoption of said amendments, the Committee recommend the passage of the bill.

Which was laid on the table.

Mr. Newcomb, from the Committee on the Judiciary, made the following report:

MR. SPEAKER:

The Judiciary Committee, to whom was referred House bill No. 227, entitled "an act to amend an act entitled "an act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of actions at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1852, respectfully report that they have had the same under consideration, and recommend that said bill be indefinitely postponed.

Which was concurred in, and the bill was indefinitely postponed.

Mr. Newcomb, from the Committee on the Judiciary, made the following report:

MR. SPEAKER:

The Judiciary Committee, to whom was referred House bill No. 228, entitled a bill to amend section 80 of an act entitled "an act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the Courts of this State, to abolish distinct forms of actions at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1852, respectfully report that they have had the same under consideration, and in the opinion of the Committee, legislation on the subject being unnecessary, they recommend that said bill be laid upon the table.

Which was concurred in, and the bill was laid on the table.

Mr. Newcomb, from the Judiciary Committee, made the following report:

MR. SPEAKER:

The Judiciary Committee, to whom was referred Senate bill No. 31, entitled "an act relating to insurance on life for the benefit of widows and orphans," respectfully report that they have had the same under consideration, and in their opinion, legislation on the

subject being unnecessary, recommend that said bill be laid upon the table.

Which was concurred in, and Senate bill No. 31 was laid on the table.

Mr. Gregory of Warren, from the Committee on Education made the following report:

MR. SPEAKER:

The Committee on Education, to whom was referred House bill No. 237, offered by Mr. Goodman, of Crawford county, amendatory of the 35th section of the new school law, have had the same under consideration, and they recommend that the same be postponed indefinitely.

Mr. Branham moved the previous question,

Which was seconded.

The question being, shall the main question be now put?

It was agreed to.

The question being, shall the report of the Committee be concurred in?

It did not prevail, and the report was not concurred in, and the bill was not indefinitely postponed.

Mr. Gregory of Warren, from the Committee on Education, made the following report:

MR. SPEAKER:

The Committee on Education, to whom was referred House bill No. 252, offered by Mr. Ferris, of Ripley county, asking that the school bill passed March 1865 be amended so that the benefits of said act might be extended to persons over the age of 21 years and under the age of 6 years, have had the same under consideration, and said committee have instructed me to report that said amendment is inexpedient and that the said bill be indefinitely postponed.

Mr. Groves demanded the previous question.

Which was seconded by the House and the main question was ordered.

The question being, shall the report be concurred in?
It was not agreed to.

Mr. Gregory of Warren, from the Committee on Education, made the following report:

MR. SPEAKER:

The Committee on Education, to whom was referred the petition and memorial of B. Lockwood and other citizens of Floyd county, asking that the new school law be so amended, that the colored people of the State may have granted to them the benefits of common schools, beg leave to report that a majority of said committee have reported a bill on that subject, which bill is now before the Committee of Ways and Means, that no further report is necessary to be made.

Which was laid on the table.

Mr. Major, from the Committee on Fees and Salaries, made the following report:

The Committee on Fees and Salaries, to whom was referred House bill No. 276, an act to authorize county auditors to issue fee bills for the collection of costs accrued before County Commissioners have had the same under consideration and direct me to report it back recommending its passage.

Which was laid upon the table.

Mr. Abbett, from the Committee on Claims, made the following report:

MR. SPEAKER:

The Committee to whom was referred the claim of Messrs. Speigel, Thoms & Co: Office table, $13,00; carving eleven chairs $13,75 have had the same under consideration and would respectfully recommend that the claim be allowed and placed in the specific appropriation bill, all of which is respectfully submitted.

Referred to the Committee of Ways and Means with instructions to incorporate in appropriation bill.

Which was referred to the Committee of Ways and Means with a recommendation that the claim be allowed.

Mr. Burnes, from the Committee on Rights and Privileges, made the following report:

MR. SPEAKER:

The Committee on Rights and Privileges, to whom was recommitted House bill No. 174, have had the same under consideration and direct me to make the following report:

SEC. 11. Strike out all after the enacting clause and insert the following: That it shall be unlawful for any person or persons to catch, or take fish in any lake, river, creek, or stream of water in the State of Indiana, except Lake Michigan and the river Ohio, with any kind of seine, net, or trap, or in any other manner, except with hook and line, gig, or snare.

SEC. 2. Every person who shall catch, or take any fish, in any lake, river, creek, or stream of water in this State, except Lake Michigan or the river Ohio, with any seine, net, or trap, or in any other manner, except with hook and line, gig, or snare, shall be deemed guilty of a misdemeanor, and fined in any sum not less than ten nor more than one hundred dollars.

SEC. 3. Inasmuch as there is now no law in force in this State for the protection of fish, an emergency exists, and this law shall be in force and take effect from and after its passage.

Which was laid on the table.

Mr. Lane, from the Committee of Manufactures and Commerce, made the following report:

MR. SPEAKER:

The Committee on Manufactures and Commerce, to whom was referred House bill No. 239, entitled an act to authorize Manufacturing Companies to erect a dam across the St. Joseph river, in Elkhart county, have had the same under consideration and beg leave to report it back and recommend its passage.

Which was laid on the table.

Mr. Stringer, from the Committee on Roads, made the followir report:

MR. SPEAKER:

The Committee on Roads, to whom was referred House bill N 271, have had the same under consideration, and have directed r to report the same back to the House and recommend its passa without amendment.

Which was laid upon the table.

Mr. Stringer, Chairman of the Committee on Roads, submitt the following report:

MR. SPEAKER:

The Committee on Roads, to whom House bill No. 164 w referred, have had the same under consideration, and have instruct me to report the same back to the House and recommend passage.

Which was concurred in and the report laid on the table.

Mr. Stringer, from the Committee on Roads, made the followi report:

MR. SPEAKER:

The Committee on Roads, to whom was referred Senate bill 191, have had the same under consideration, and have instructed to report the same back to the House and recommend its pass without amendment.

Which was laid upon the table.

Mr. Bonner, from the Committee on Roads, made the follov report:

MR. SPEAKER:

The Committee on Roads, to whom was referred House bill 241, an act to amend an act entitled "an act authorizing the struction of plank, McAdamized and gravel roads," approved 12, 1852, move to amend line 18 of section 13, by striking out word "seven" and insert four, and also line twenty-one of section by striking out the word fifteen and insert ten, and whe

amended direct me to report said bill back to the House and recommend its passage.

Which was laid upon the table.

Mr. Bonner, from the Committee on Roads, made the following report:

MR. SPEAKER:

The Committee on Roads, to whom was referred House bill No. 263, a bill to provide by law to prevent conductors running railroad trains from obstructing public highways to the hindrance of travel, have considered the same; move to amend the title by adding the following words:—"and prescribing penalties therefor," and with said amendment, recommend its passage.

Which was laid upon the table.

Mr. Stringer, from the Committee on Roads, reported the following:

MR. SPEAKER:

The Committee on Roads, to whom divers petitions of the citizens of the State of Indiana, upon the subject of so amending the law as to authorize the swinging of gates across public highways, have had the same under consideration, and direct me to report a bill upon the subject, which is herewith submitted, and made part of this report, and recommend that it do pass.

Which was concurred in, and the report laid on the table.

Mr. Stivers, from the Committee on County and Township Business, made the following report:

MR. SPEAKER:

The Committee to whom was referred Senate bill No. 122, "an act in regard to weights and measures, the custody thereof, and fees for using the same," have had the some under consideration, and direct me to report the same back to the House, and recommend its passage.

Which was laid upon the table.

Mr. Stivers, from the Committee on County and Township Business, made the following report:

MR. SPEAKER:

The Committee on County and Township Business, to whom was referred House bill 240, entitled "an act to relieve county auditors, treasurers, trustees, assessors, and other officers in certain cases, for the year 1865, from the penalties attached for the violation of 'an act to discourage the keeping of useless and sheep-killing dogs, &c., approved March 2, 1865, and declaring an emergency,'" have had the same under consideration, and direct me to report the same back to the House, and recommend its passage.

Which was laid on the table.

Mr. Stivers, from the Committee on County and Township Business, made the following report:

MR. SPEAKER:

The Committee on County and Township Business, to whom was referred a resolution inquiring into the expediency of reducing the number of justices of the peace, and constables, to one in each township, instruct me to report that they have had the same under consideration, and that, in their judgment, no legislation is necessary, and therefore beg leave to be excused from further action on the subject.

Which was concurred in, and laid on the table.

Mr. Caldwell, from the Committee on County and Township Business, made the following report:

MR. SPEAKER:

The Committee on County and Township Business, to whom was refeared a resolution inquiring into the expediency of reducing the number of justices of the peace, and constables to one in each township, instruct me to report that they have had the same under consideration, and that, in their judgment, no legislation is necessary and therefore beg leave to be excused from further action on the subject.

Which was laid on the table.

Mr. Hamrick, from the Committee on Corporations made the following report:

MR. SPEAKER:

The Committee on Corporations, to whom was referred Senate bill No. 103, entitled "an act repealing all general laws now in force for the incorporation of cities, providing for the incorporation of cities, prescribing their powers rights and duties, and the manner in which they shall exercise the same, have had the same under consideration, and have directed me to report the same back with the following amendments, and when so amended, they recommend its passage."

Amend section 17, as follows:

In line 34 strike out the words "said city," and insert in lieu thereof the words, "the civil township or townships in which said city is situated."

Amend section 24, by adding at the end the following:

"And such engineer shall have exclusive jurisdiction to survey, determine and establish and perpetuate the lines and corners of all lots, blocks, parcels of land and sub-divisions thereof, within the limits of such city. He shall make a record of all such surveys as the County Surveyor is now required to do, and such record or certified copies thereof shall be evidence in all the courts in the State, and from all such surveys and appeal from surveys made by the County Surveyor."

Amend section 34, as follows:

1. In line 19 strike out the word "one" and insert the word "two."

2. In line 40 strike out the word "one" and insert the word "two."

3. Strike out lines 69, 70 and 71, and insert in lieu thereof the following:

"Tenth, to compel the owners or occupants of any building or out-house situate upon said real estate in such city that is filthy or

unwholesome to abate or cleanse the same, and to clean the streets and alleys adjoining such property, and for this purpose the Common Council may, by giving two days notice, require the owner or occupant of any such property to abate such nuisance, or to clean said streets and alleys bordering on such real estate, and, upon failure so to do, the Common Council may order the same done by the Street Commissioner, or other officer or agent, and the expenses thereof shall be a lien upon such real estate, and may be collected by such city in the same manner as assessments for street improvements."

4. In line 75 strike out the word "one" and insert the word "two."

5. In line 125 insert at the end thereof the words, "and their associates."

6. In line 137 strike out all after the word "the" and insert in lieu thereof the following:

"Common Council shall have the power to remove such putrid, animal, or vegetable matter, the expenses of which removal shall be a lien upon such real estate and may be collected by such city in the same manner as assessments for street improvements."

7. At the end of line 149, insert the following: "Or for the purpose of drainage of such city."

8. In line 150, after the word "limits," insert the words, "and condemn lands and materials."

9. Strike out all of the twenty-ninth paragraph, after the word "and," in line 176, and insert the following words in lieu thereof "Annually thereafter."

10. Strike out paragraph forty-third, commencing at line 268 and including line 288, and insert the following:

"Forty-third. To regulate the speed of railroad trains through the city, and also to provide, by ordinance, for the security of citizens and others for the running of trains through any city, and to require railroad corporations to observe the same, and also to require such corporations to keep cleaned the gutters and crossings of the streets through and along which their railways may pass."

11. In line 291, after the word "thereof," insert the words, "in whole or in part, including crossings of streets and alleys."

12. In line 292, after the word "thereto," insert the words, "and the same shall be a lien on the property in the same manner as provided in cases of street improvements."

13. Add at the end of the section the following:

"Forty-Sixth. To regulate the planting, maintaining and protection of shade trees along the streets, and in public grounds, and to compel the owners of lots bordering on any street or part thereof, to plant, maintain and protect such trees, and, on failure so to do, to cause the same to be done and the expenses thereof shall be a lien on such property and collected in the same manner as street improvements."

Amend section 35 as follows:

Strike out the whole section and insert in lieu thereof the following:

"SEC. 35. For removal and abatement of nuisances, to carry out and enforce sanitary regulations, for the apprehension of disorderly persons, vagrants, common prostitutes, and their associates, to exact license money from all persons licensed to retail intoxicating liquors by county or State authority, and to regulate all places where intoxicating liquors are sold, to be used on the premises, the Common Council shall have jurisdiction two miles beyond the city limits."

Amend section 37 as follows:

Strike out the word "fifty" in line 8, and insert the words, "one hundred."

Amend section 38, as follows:

Insert at the end of the section these words:

"*Provided*, That when no paper is published in such city, printed or written copies of such ordinances, shall be posted up by the City Marshal in at least five public places in each ward of such city, for two weeks before the taking effect thereof."

Amend section 41 as follows:

Strike out all after the word "city" in line 56, and also the whole of lines 57, 58 and 59.

Amend section 59 as follows:

1. Strike out in line 2, the words "Court of Common Pleas," and also all of line 3, and the word situate in line 4, and insert the words, "Common Council of said City."

2. Strike out the words "upon the" in line 4, and, also, the whole of line 5.

3. Insert after the word "appropriated," in line 12, the words, "or through which any street is proposed to be straightened or of which the course is proposed to be altered."

Amend section 60 as follows:

Strike out the whole of line 15.

Amend section 65 as follows:

1. In line 61, after the word "plank," insert the words, "or gravel."

2. In line 68, after the word "improvement" the words, "or of repairs thereto."

Amend section 83 as follows:

Strike out the words, "an accurate survey, plat and map" in lines 21 and 22, and insert the words, "an accurate description by metes and bounds, accompanied with a plat."

Amend section 84 by adding thereto the following:

"*And provided further*, That whenever, in any incorporated city in this State, it shall so happen that such city shall own, within such city for the purposes of a public park, or square, or public schools, two tracts of land situated on opposite sides of a public street, the Common Council of such city shall have the power, by an ordinance, adopted by the votes of three-fourths of the Councilmen of such city to vacate so much of said street as lies between the said

tracts of land, in order that the same may be united as one tract, and such part of said street so vacated, shall be deemed and held to be a part of said tract for the same uses and purposes."

Amend section 93 by striking out all after the figures "93," and insert the following new section:

"All levies of taxes heretofore made by any incorporated city in this State whether the assessments have been made by the City Assessor, or copied from the assessments for State and county revenue, be and the same are hereby legalized; and the incorporation of all cities now operating under the laws hereby repealed shall be, and the same is hereby legalized, whether such incorporation was regularly obtained or not."

Add the following new section:

"SEC. 94. Cities that have heretofore availed themselves of the provisions of the general law of this State for the incorporation of cities, shall be, and remain municipal incorporations under this act; and inasmuch as it is important that the cities incorporated in this State shall be enabled at the earliest possible period to enjoy and avail themselves of the provisions of this act, it is hereby declared that an emergency exists, requiring the immediate taking effect of this act and the same shall therefore be in force from and after its passage and publication in the Indiana State Journal and Herald."

Which was laid on the table.

Mr. Hamrick, from the Committee on Corporations, made the following report:

MR. SPEAKER:

The Committee on Corporations, to whom was referred House bill No. 207, entitled a bill regulating foreign insurance companies doing business in this Stase, have had the same under consideration and have directed me to report the same back with the following amendment, and when so amended they recommend its passage:

Amend section 1, by adding thereto the following proviso:

Provided, That the provisions of this section shall not be con-

strued to extend to, include, or embrace those insurance or detective companies insuring against thieves.

Which was laid upon the table.

Mr. Hamrick, from the Committee on Corporations, made the following report:

Mr. Speaker:

The Committe on Corporations, to whom was referred Senate bill No. 163, entitled an act touching the laying out of cities and additions thereto, and the making and recording of plats thereof and legalizing plats of such cities and additions thereto heretofore made and recorded, have had the same under consideration and have directed me to report the same back to the House and recommend its passage.

Which was laid upon the table.

Mr. Hamrick, from the Committee on Corporations, made the following report:

Mr. Speaker:

The Committee on Corporations, to whom was referred House bill No. 248, entitled "an act to amend the second section of the act for the incorporation of manufacturing and mining companies, and companies for mechanical, chemical and building purposes, approved May 20, 1852," have had the same under consideration, and have directed me to report the same back to the House, and recommend its passage.

Which was laid upon the table.

Mr. Foulke, from the Committee on Corporations, made the following report:

Mr. Speaker:

The Committee on Corporations, to whom was referred Senate bill No. 34, entitled "an act to authorize incorporated cities within this State to purchase and hold parks, fair-grounds, and grounds for public uses, and to prescribe rules and regulations for the government, control and preservation of the same," have had the same under consideration, and instruct me to report the bill back to this

House, and recommend that it be laid upon the table, as the subject matter is embraced in a general bill defining the powers of cities, towns, &c.

Which was laid upon the table.

Mr. Rhoads, from the Committee on Enrolled Bills, made the following report:

Mr. Speaker:

The Joint Committee on Enrolled Bills have compared Enrolled House bills Nos. 12, 27 and 43, with the engrossed copies thereof, and instruct me to report the same, in all respects, properly enrolled.

Which was laid upon the table.

The Speaker announced that he had signed House bills No. 12, No. 27, and No. 43.

Mr. Buskirk, from Special Committee, made the following report:

Mr. Speaker:

The Select Committee, to whom was referred House bill No. 253, "an act to change the times of holding the Common Pleas Courts in the counties of Morgan and Monroe, have had the same under consideration, and have directed me to report the same back without amendment, and recommend its passage.

Which was laid on the table.

Mr. Lockhart, from a Select Committee, made the following report:

Mr. Speaker:

The Select Committee, to whom was referred House bill No. 125, entitled "an act to amend sections one and two of an act entitled 'an act to provide for the relocation of county seats, and for the erection of public buildings in counties in case of such relocation," approved March 20, 1855," have had the same under consideration, and would respectfully report the same back, and recommend its passage.

Which was laid on the table.

Mr. Newcomb, by consent, introduced:

House bill No. 277. A bill to amend sections two and five of an act entitled "an act providing for an organization of Circuit Courts, the election of judges thereof, and defining their powers and duties," approved June 1, 1852.

Which was read a first time, and referred to the Committee on the Organization of Courts of Justice.

By Mr. Newcomb:

House bill No. 278. A bill creating the sixteenth Judicial Circuit, providing for the election of a Judge and Prosecuting Attorney thereof, and declaring its jurisdiction, and providing for a transfer of action thereto.

Which was read a first time, and referred to the Committee on the Organization of Courts of Justice.

By Mr. Newcomb:

House bill No. 279. A bill to amend sections 9 and 10 of an act entitled "an act prescribing the powers and duties of Justices of the Peace in State prosecutions.

Which was read a first time, and referred to the Committee on the Organization of Courts of Justice.

By Mr. Newcomb:

House bill No. 280. A bill to amend section 14 of an act entitled "an act to limit the number of grand jurors, and to point out the mode of selection, defining their jurisdiction, and repealing all laws inconsistent therewith," approved March 4, 1852.

Which was read a first time, and referred to the Committee on the Organization of Courts of Justice.

By Mr. Woods:

House bill No. 281. A bill to amend section 12 of an act entitled "an act to authorize the construction of levees and drains," approved June 12, 1852.

Which was read a first time, and referred to a select committee on that subject.

By Mr. Griffith:

House bill No. 282. A bill regulating the mileage of sheriffs in conveying convicts to the State Prison North; also amending section 2 of an act entitled "an act to authorize the removal of convicts from the Southern State Prison, and providing for the employment of convicts in each of said prisons, directing what counties shall send their convicts to Northern State Prison, and providing for carrying on the work in building said Northern State Prison, and making appropriations for the support of said prison, approved June 1, 1861," and repealing an act entitled "an act to regulate the mileage of sheriffs in conveying convicts to the State prison, and of county treasurers in making deposits, and in their settlements with the treasurer and auditor of State, and the mileage of the General Assembly," approved June 17, 1852.

Which was read a first time, and referred to a Joint Committee on State Prisons.

By Mr. Lasselle:

House bill No. 283. A bill to amend sections 1 and 2of an act to fix the time of holding the Circuit Courts in the 11th Judicial Circuit, and to regulate the returning of process in said Circuits, approved Jan. 31, 1865.

Which was read a first time, and referred to a select committee composed of members of the 11th Judicial Circuit.

By Mr. Patterson:

House bill No. 284. A bill to provide for the election of boards of directors for railroads incorporated by the laws of this State, and prescribing their qualifications.

Which was read a first time, and referred to a special committee of five.

Mr. Thatcher, by consent, presented a memorial from the commissioners of Shelby county, in reference to the repeal of an act for the relief of the families of soldiers, &c., approved March 4, 1865.

Which was referred to the Committee on Ways and Means.

Mr. Foulke, by consent, presented a claim from Thomas F. Howell.

Which was referred to the Committee on Claims.

By Mr. Branham:

House bill No. 285. An act to provide a State Debt Sinking Fund, for the payment of the principal and interest of the War Loan Bonds, and five, and two and one half per cent. stocks of the State, therein named, prescribing the duties of the auditor, treasurer and agent of State in relation thereto, providing for a clerk of said Sinking Fund, and fixing his salary, and providing a penalty for the violation of its provisions, and declaring an emergency for the immediate taking effect of the same.

Which was read a first time, and, on motion by Mr. Branham, was laid on the table, and 300 copies ordered to be printed.

By Mr. Stringer:

House bill No. 286. A bill to authorize the county commissioners to grant the right to swing gates on county, township and private roads, and prescribing penalties.

Read a first time, and referred to the Committee on the Rights and Privileges of the Inhabitants of the State.

Mr. Milroy moved that the House do now adjourn.

Which was not agreed to.

Leave of absence was granted to Messrs. Shoaff of Allen, O'Brien, and Richards.

HOUSE BILLS ON SECOND READING.

House bill No. 211. A bill to enable common carriers to dispose of unclaimed freight and baggage,

Was taken up, and the Committee on Railroads reported the following:

MR. SPEAKER:

The Committee on Railroads, to whom was referred House bill No. 211, have had the same under consideration, and have ordered me to make the following report:

To amend section second by making the notices sixty days, instead of thirty. Also, to give notice in at least one paper in the county for sixty days before sale. Also, after five years, all sums of money

remaining unclaimed, to be paid into the county treasury, to be placed to the account of common schools; and when so amended would recommend its passage.

The amendments were read and concurred in, and the bill ordered to be engrossed, and passed to a third reading.

A message from the Senate, by Mr. Wilson, their Secretary.

Mr. Speaker:

I am directed by the President of the Senate to inform the House of Representatives that he has signed, and herewith return, the following enrolled acts of the House, to-wit:

Enrolled act No. 12, entitled "an act to amend the first section of an act entitled 'an act for the better protection of religious meetings, agricultural fairs, and other lawful assemblages of the people,'" approved March 3d, 1859. Also,

Enrolled act No. 27, entitled an act to legalize the acknowledgements of all deeds, mortgages, and other instruments required to be recorded, taken and certified by Notaries Public, who took and certified such acknowledgements after the expiration of their commissions. Also,

Enrolled act No. 43, entitled "an act to repeal an act entitled 'an act to establish courts of conciliation, to prescribe rules and proceedings therein, and compensation of judges thereof,'" approved June 11th, 1852.

I am further directed by the President of the Senate to present, for the signature of the Speaker of the House of Representatives, the following enrolled acts of the Senate, to-wit:

Enrolled act No. 4, entitled "an act to provide for the making and authentication of transcripts from the records of the Recorder's office, in certain cases, and for the admissibility in evidence of the same, and certified copies of the deeds and mortgages contained therein." Also,

Enrolled act No. 25, entitled "an act defining certain misdemeanors, and prescribing punishment therefor." Also,

Enrolled act No. 82, entitled "an act to authorize cities to prepare, execute, negotiate and sell bonds, to provide means to complete unfinished school buildings, and to pay debts contracted for the erection of school buildings; and to authorize the levy and collection of an additional special tax, to provide means for the payment of the interest and principal of such bonds. Also,

Enrolled act No. 84, entitled "an act to amend section two of an act entitled 'an act prescribing the powers and duties of Justices of the Peace in State prosecutions,' approved May 29th, 1852, so as to authorize the service of a warrant throughout the State." Also,

Enrolled act No. 115, entitled "an act to amend section eleven of an act entitled 'an act concerning county prisons,' approved May 27th, 186—."

Which are herewith respectfully submitted.

A message from His Excellency, the Governor, by His Private Secretary, Mr. Jacobs.

INDIANAPOLIS, November 29th, 1865.

To the Senate and House of Representatives:

I have just received from divers citizens of Monroe county the communication herewith respectfully transmitted, making a proposition for the establishment of an Agricultural College, under the Congressional grant made in aid of institutions of this character.

The proposition is highly creditable to the liberality of the gentlemen who make it, and their ability to carry out the proposition, if accepted, can not be doubted.

I trust it will, with other propositions heretofore made by citizens of other parts of the State, receive that careful consideration which the importance of the subject, and the liberality and merits of the proposition, demand.

I beg leave, in this connection, to suggest that if it should be the pleasure of the General Assembly to locate an Agricultural College at Bloomington, in conjunction with the State University, the sale of the land scrip, which the State may receive under the grant, might be avoided by an assignment of the scrip to the Board of Trustees of the University. Such an assignment would enable the Trustees of the University to enter public lands in other States, as the assignees of the State.

CONRAD BAKER,
Lieutenant Governor, acting as Governor.

The following is the communication referred to:

BLOOMINGTON, IND., November 27, 1865.

To His Excellency, Conrad Baker, Governor of Indiana:

The undersigned, citizens of Monroe county, Indiana, being desirous of procuring the location of the Agricultural College at or near the town of Bloomington, with the State University, hereby pledge ourselves that the citizens of our county will purchase and donate to the Trustees of the said Agricultural College, within three months after the location at this place, the Geological and Mineralogical Cabinet of the late Dr. David Dale Owen, which could not be procured in this country or Europe for less than seventy-five thousand dollars; and, also, a proper and suitable farm, near to our town, that will be worth at least twenty-five thousand dollars; which proposition we request your Excellency to lay before the Legislature.

SAM. H. BUSKIRK, and others.

STATE OF INDIANA, *Monroe county:*

We, the undersigned, Clerk, Treasurer, and Auditor, within and for said county, do hereby certify that the persons whose names appear to the foregoing proposition to the Legislature of the State of Indiana, now in session, and personally known to us, to be men of character and standing in this community, and that we are satisfied, at a fair cash valuation, they are worth at least three hundred thousand dollars.

Witness our hands and seals this 27th day of November, 1865.

MILTON McPHETRIDGE, *Auditor M. C.*
P. L. D. MITCHELL, *Treasurer.*
DAVID SHEEKS, *Clerk M. C. C.*

Joint Resolution No. 20. A joint resolution, instructing our Senators and requesting our Representatives in Congress to vote for the passage of an act equalizing the pay of soldiers and officers engaged in the suppression of the rebellion,

Was read a second time.

Mr. Newcomb moved to amend by inserting the following in the proper place: "And that, in the opinion of the General Assembly, a special direct tax should be levied to pay such additional bounties, or that in lieu of a money bounty, that a grant of land be made to such soldiers."

Mr. Miller moved to amend as follows: Insert after the word "instructed," "if consistent with the general interest of the country."

Which was agreed to.

The question being on the amendment offered by Mr. Newcomb;

Pending which,

The House adjourned.

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2 O'CLOCK P. M.

House met.

SPECIAL ORDER.

House bill No. 218 was taken up, and,

On motion by Mr. Shuey,

The further consideration of the bill was made the special order for to morrow at 2 o'clock, P. M.

Mr. Rhoads moved to reconsider the vote whereby the House, on yesterday, refused to recommit House bill 218, with the instructions offered by Mr Newcomb.

Mr. Lane, by consent, introduced Joint Resolution No. 21.

A Joint Resolution instructing our Senators, and requesting our Representatives in Congress to secure the passage of a law increasing the pensions of privates and non-commissioned officers who have been disabled in the service of the United States.

Which was read a first time and passed to a second reading.

Mr. Cook, by consent, offered a petition, signed by John Rohner, and eleven hundred others, of Vanderburg county, asking that no action be taken on any of the bills now before the House on the subject of Temperance.

Which was referred to the Committee on Temperance.

Mr. Stuart, by consent, offered the following concurrent resolution:

Be it resolved by the House of Representatives, the Senate concurring, That our Senators in Congress are hereby instructed, and our Representatives requested to secure such a modification of the act, approved April 19, 1816, appropriating the sixteenth section of each Congressional Township for school purposes, as that it may read as follows:

That section numbered sixteen in every township, and when such section has been sold, granted or disposed of, then other lands equivalent thereto, and not contiguous to the same, shall be granted to the inhabitants of the State for the use of schools.

Which was adopted.

Ordered, That the clerk inform the Senate thereof.

HOUSE BILLS ON THIRD READING.

House bill No. 156. A bill imposing on clerks of the several Circuit Courts the duty of preparing applications for back pay, back pay and bounty, half pay and pensions, creating a State Agent for soldiers' claims, to represent the same, imposing on certain officers the duty of preparing and certifying documentary evidence in connection with such memorials, prescribing the duties of such officers, and imposing penalties for violating their duties.

Was taken up.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Atkinson, Bonner, Boyd, Branham, Burnes, Chambers, Church, Cowgill, Cox, Crook, Davidson, Ferris, Foulke, Gleason, Gregory of Montgomery, Gregory of Warren, Griffith, Hamrick, Henricks, Hershey, Hogate, Johnson, Kilgore, Lane, Litson, Lockhart, Major, Montgomery, McVey, Newcomb, Olleman, Patterson, Prather, Reese, Riford, Shuey, Sim, Sullivan of P. & V., Thatcher Trusler, Upson, Welch, Wright, Woods and Mr. Speaker—45.

Those who voted in the negative were,

Messrs. Brown, Burton, Burwell, Buskirk, Caldwell, Collins, Croan, Dunham, Glazebrook, Groves, Hargrove, Harrison, Hoover,

Howard, Humphreys, Hunt, Lasselle, Lee, Lemon, Lopp, Milroy, Osborn, Perigo, Pinney, Rice, Richardson, Roach, Shoaff of Jay, Spencer, Stenger, Stringer, Stuckey, Weikel, White and Woodruff —35.

So the bill failed to pass for the want of a constitutional majority.

Joint Resolution No 1. A Joint Resolution proposing an amendment to the Constitution, by striking out the Thirteenth Article thereof.

Was taken up and read a third time.

Mr. Miller moved a call of the House.

Which was ordered.

The following members answered to their names:

Messrs. Abbett, Atkinson, Bonner, Boyd, Branham, Brown, Burnes, Burton, Burwell, Buskirk, Chambers, Church, Coffroth, Collins, Cowgill, Cox, Croan, Crook, Davidson, Dunham, Ferris, Foulke, Glazebrook, Gleason, Goodman, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, Humphreys, Hunt, Johnson, Kilgore, Lane, Lasselle, Lee, Lemon, Litson, Lockhart, Lopp, Major, Meredith, Miller, Milroy, Montgomery, McVey, Newcomb, Olleman, Osborn, Patterson, Perigo, Pinney, Prather, Reese, Rhoads, Rice, Richardson, Riford, Roach, Sabin, Shuey, Sim, Spencer, Stenger, Stringer, Stuckey, Sullivan of P. & V., Thatcher, Trusler, Upson, Weikel, Welch, White, Woodruff, Woods and Zeigler—85.

Whereupon the further call of the House was, on motion, dispensed with.

Mr. Brown moved to postpone the further consideration until Saturday, at 2 o'clock P. M.

Which was not agreed to.

The question being, shall the Joint Resolution, No. 1, pass?

These who voted in the affirmative were,

Messrs. Atkinson, Bonner, Branham, Burnes, Caldwell, Chambers,

Church, Cook, Cowgill, Cox, Ferris, Foulke, Gleason, Gregory of Montgomery, Gregory of Warren, Griffith, Hamrick, Henricks, Hershey, Higgins, Hogate, Hoover, Johnson, Kilgore, Lane, Litson, Lockhart, Major, Meredith, Miller, Montgomery, McVey, Newcomb, Olleman, Prather, Reese, Rhoads, Rice, Riford, Sabin, Shuey, Sim, Stuart, Sullivan of P. & V., Trusler, Upson, Welch, Wright, Woods, Zeigler and Mr. Speaker—51.

Those who voted in the negative were,

Messrs. Abbett, Boyd, Brown, Burton, Burwell, Buskirk, Coffroth, Collins, Croan, Crook, Davidson, Dunham, Glazebrook, Goodman, Groves, Hargrove, Harrison, Howard, Humphreys, Hunt, Lasselle, Lee, Lemon, Lopp, Milroy, O'Brien, Osborn, Patterson, Perigo, Pinney, Richardson, Roach, Shoaff of Jay, Spencer, Stenger, Stringer, Stuckey, Thatcher, Weikel, White and Woodruff—41.

So Joint Resolution No. 1 passed.

Ordered, That the Clerk inform the Senate of the passage of said Joint Resolution.

Mr. Spencer moved that absent members have leave to record their names when they return.

Which was not agreed to.

Leave of absence was granted to Mr. Stivers.

Engrossed Senate Joint Resolution No. 3. A Joint Resolution proposing an amendment to the 23d section of article 4 of the Constitution, so as to provide for laws enabling cities and towns to raise money for the support of common schools, was then taken up, and read a third time.

The question being, shall said Joint Resolution No. 3, pass?

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Bonner, Boyd, Branham, Brown, Burnes, Caldwell, Church, Cook, Cowgill, Cox, Crook, Davidson, Dunham, Ferris, Foulke, Gleason, Goodman, Gregory of Montgomery, Griffith, Groves, Hamrick, Henricks, Hershey, Hogate, Hoover, Howard, Johnson, Kilgore, Litson, Lockhart, Major, Meredith, Miller, Montgomery, McVey, Newcomb, Olleman, Prather, Reese, Rice

Riford, Sabin, Shuey, Sim, Stuart, Sullivan of Posey & Vanderburg, Thatcher, Trusler, Upson, Welch, Woodruff, Wright, Woods and Zeigler—56.

Those who voted in the negative were,

Messrs. Burton, Burwell, Buskirk, Chambers, Coffroth, Collins, Croan, Glazebrook, Hargrove, Harrison, Humphreys, Hunt, Lane, Lee, Lemon, Lopp, Milroy, O'Brien, Osborn, Patterson, Perigo, Pinney, Rhoads, Roach, Shoaff of Jay, Spencer, Stenger, Stringer, Stuckey, Weikel and White—31.

So the Joint Resolution passed.

Ordered, That the Clerk inform the Senate of its passage.

A message from the Governor, by Mr. Jacobs, his Private Secretary.

Mr. Speaker:

I am directed by His Excellency the Governor to inform your honorable body that he has approved and signed Enrolled House Bill No. 43, entitled "an act to repeal an act entitled 'an act to establish Courts of Conciliation, to prescribe rules and proceedings therein, and compensation of Judges thereof, approved June 11, 1852.'"

Also, Enrolled House Bill No. 12, entitled "an act to amend the first section of an act entitled "an act for the better protection of religious meetings, agricultural fairs, and other lawful assemblages of the people, approved March 3, 1859."

Also, Enrolled House Bill No. 27, entitled "an act to legalize the acknowledgments of all deeds, mortgages, and other instruments required to be recorded, taken and certified by notaries public, who took and certified such acknowledgments after the expiration of their commissions."

And that the same have been deposited in the office of the Secretary of State.

The Speaker announced that he had signed House bills No. 4, No. 25, No. 82, No. 84, and No. 115.

Mr. Rhoads, from the Joint Committee on Enrolled Bills, made the following report:

Mr. Speaker:

The Joint Committee on Enrolled Bills, respectfully report, that on Thursday, Nov. 30, 1865, at 2½ o'clock, P. M., they presented to His Excellency, Conrad Baker, acting Governor of the State, for his approval and signature, House bills Nos. 12, 27 and 43.

House bill No. 33. A bill to amend the eighth section of an act to regulate and license the sale of spirituous, vinous, malt and other intoxicating liquors, to prohibit the adulteration of liquors, repeal all former laws contravening the provisions of this act, and prescribing penalties for violation thereof, approved March 5, 1859.

Was taken up, and, together with the amendments heretofore reported, was read a third time.

The amendments were agreed to.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Bonner, Boyd, Branham, Brown, Burnes, Burton, Burwell, Buskirk, Chambers, Church, Coffroth, Cowgill, Cox, Croan, Cook, Davidson, Ferris, Foulke, Glazebrook, Gleason, Goodman, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, Humphreys, Hunt, Johnson, Kilgore, Lane, Litson, Lockhart, Lopp, Major, Meredith, Miller, Montgomery, McVey, Olleman, Osborn, Perigo, Pinney, Prather, Reese, Rhoads, Rice, Richardson, Riford, Sabin, Shoaff of Jay, Shuey, Sim, Stuart, Stenger, Stringer, Stuckey, Sullivan of Scott, Sullivan of P. & V., Thatcher, Trusler, Upson, Welch, White, Woodruff, Wright, Woods and Zeigler—77.

Those who voted in the negative were,

Messrs. Collins, Dunham, Lee, Lemon, Milroy, Spencer and Weikel—7.

The question being, shall the title, as read, stand as the title of said bill?

It was so ordered.

So the bill passed.

Ordered, That the Clerk inform the Senate of the passage of said bill.

Mr. Sullivan, of Scott, was allowed to record his vote against the passage of Joint Resolution No. 1.

House bill No. 177. A bill to amend section 143 of an act entitled "an act amendatory of an act to provide for the publication of delinquent taxes," approved May 31, 1861.

Which, together with the amendments heretofore reported, was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Atkinson, Bonner, Boyd, Branham, Brown, Burnes, Burwell, Buskirk, Caldwell, Church, Coffroth, Cox, Croan, Davidson, Ferris, Foulke, Harrison, Henricks, Hershey, Hogate, Howard, Kilgore, Lasselle, Litson, Major, Meredith, Milroy, Montgomery, McVey, Olleman, Osborn, Perigo, Pinney, Rhoads, Rice, Riford, Sabin, Shoaff of Jay, Shuey, Sim, Spencer, Stuart, Stenger, Stringer, Stucky, Thatcher, Welch, White, Woodruff, Woods, and Mr. Speaker—51.

Those who voted in the negative were,

Messrs. Burton, Chambers, Collins, Cowgill, Dunham, Glazebrook, Gleason, Goodman, Gregory of Warren, Groves, Higgins, Hoover, Humphreys, Hunt, Johnson, Lane, Lee, Lemon, Lockhart, Prather, Richardson, Roach, Sullivan of P. and V., Trusler, Upson, Weikel, and Wright—27.

The question being, shall the title, as read, stand as the title of said bill?

It was so ordered.

So the bill passed.

Ordered, That the Clerk inform the Senate of the passage of said bill.

House Joint Resolution No. 17. A joint resolution amendatory of section nine, article four, of the Constitution of the State of Indiana, so as to provide for annual sessions of the General Assembly,

Was taken up, ordered to be engrossed, and read a third time.

The question being, shall said Joint Resolution pass?

Those who voted in the affirmative were,

Messrs. Atkinson, Bonner, Boyd, Branham, Burwell, Buskirk, Caldwell, Chambers, Collens, Cox, Ferris, Foulke, Gleason, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Hershey, Johnson, Litson, Milroy, Montgomery, McVey, Newcomb, Prather, Reese, Riford, Sabin, Shoaff of Jay, Shuey, Sim, Stuart, Stringer, Welch, Wright, Woods, Zeigler, and Mr. Speaker—39.

Those who voted in the negative were,

Messrs. Abbett, Brown, Burton, Church, Coffroth, Cowgill, Croan, Crook, Davidson, Dunham, Glazebrook, Goodman, Hargrove, Henricks, Higgins, Hogate, Humphreys, Hunt, Kilgore, Lane, Lasselle, Lee, Lemon, Lockhart, Lopp, Major, Miller, Olleman, Osborn, Patterson, Perigo, Pinney, Rhoads, Rice, Richardson, Roach, Spencer, Stenger, Stucky, Sullivan of Scott, Sullivan of Posey and Vanderburg, Trusler, Upson, Veach, Weikel, White, and Woodruff—48.

So the joint resolution was lost.

On motion by Mr. Kilgore,
The House adjourned.

FRIDAY MORNING, 9 o'clock,
December 1, 1865.

House met pursuant to adjournment.

The Speaker ordered a call of the House, and the following members answered to their names:

Messrs Abbett, Bonner, Boyd, Brown, Burnes, Burwell, Caldwell, Chambers, Church, Collins, Cook, Cowgill, Cox, Davidson, Ferris,

Foulke, Glazebrook, Goodman, Gregory of Montgomery, Gregory o Warren, Griffith, Groves, Hamrick, Harrison, Henricks, Hershey Higgins, Hogate, Hoover, Humphreys, Hunt, Johnson, Kilgore, Lane Lemon, Litson, Lockhart, Lopp, Major, Meredith, Milroy, Montgom ery, Osborn, Patterson, Pinney, Reese, Rhoads, Rice, Richardson Riford, Roach, Sabin, Shoaff of Jay, Shuey, Spencer, Stuart, Strin ger, Stucky, Sullivan of Scott, Sullivan of Posey and Vanderburg Trusler, Upson, Veach, White, Woodruff, Wright, Woods and Mr Speaker—69.

A quorum being present, the further call was dispensed with.

On motion,
The reading of the journal was dispensed with.

PETITIONS, MEMORIALS AND REMONSTRANCES.

By Mr. Howard:

A petition on the subject of temperance, from sundry citizens o Clark county.
Referred to the Committee on Temperance.

By Mr. Boyd

A claim to the amount of $194.90, for stationery, &c., furnishe by H. C. Chandler & Co.
Referred to Committee on Claims.

REPORTS OF COMMITTEES.

Mr. Higgins, from the Committee on Ways and Means, made th following report:

MR. SPEAKER:

The Committee on Ways and Means, to whom was referred Hous bill No. 269, "a bill to make appropriation to pay the balance of th quota of this State of the expenses of the Soldiers' National Cem etery, at Gettysburg, Pennsylvania," &c., have had the same unde consideration, and have directed me to report the same back an recommend its passage.
Which was laid on the table.

Mr. Cowgill, from the Judiciary Committee, made the following report:

MR. SPEAKER:

The Committee on the Judiciary, to whom was referred House bill No. 25, entitled "a bill to repeal an act entitled 'an act to prohibit the evidence of Indians, and persons having one-eighth or more of negro blood, in all cases where white persons are parties in interest,' approved February 14th, 1853," have had the same under consideration, and recommend the following amendments thereto, and when so amended recommend the passage of the bill, to-wit:

Amend the title by striking out the words, "a bill," from the first line, and inserting the words "an act." Further amend the title by adding thereto the following words: "And so much of all other laws as render persons incompetent as witnesses on account of their color," and also by striking out the word "is," in line nine, and inserting the word "are" in lieu thereof.

Amend the bill by adding the following words in line nine, between the word "interest" and the word "be:" "And so much of all other laws as render persons incompetent as witnesses in courts of justice on account of their color."

Further amend the bill by adding thereto the following section:

"Sec. —. No person offered as a witness shall be excluded from giving evidence, either in person or by deposition, in any judiciary proceeding, because such person may be an Indian, negro, or mixed blood; but the credibility of witnesses of Indian, negro, or mixed blood, shall be left to the court or jury trying the cause, as in other cases."

Amend by striking out the following words: "This act to take effect from and after its passage."

Which was concurred in, and the report laid on the table.

Mr. Brown asked leave to submit a minority report from the same committee at a future day.

Which was agreed to.

Mr. Cowgill, from the Judiciary Committee, made the following report:

MR. SPEAKER:

The Judiciary Committee, to whom was referred Senate bill No.

44, entitled "a bill in relation to joint contracts, promises and obligations, and declaring all such contracts, promises and obligations to be joint and several in their nature, so far as relates to the remedies to enforce the same," respectfully report that they have had the same under consideration, and herewith recommend that said bill be laid upon the table.

Which was laid on the table.

Mr. Cowgill, from the Committee on the Judiciary, reported as follows:

MR. SPEAKER:

The Judiciary Committee, to whom was referred House bill No. 236, entitled "an act to amend section twenty-three of an act entitle an act for the incorporation of insurance companies, defining their powers, and prescribing their duties," approved June 17th, 1852, respectfully report that they have had said bill under consideration, and recommend its passage.

Which, on motion, was laid on the table.

Mr. Trusler, from the Committee on the Judiciary, made the following report:

MR. SPEAKER:

The Judiciary Committee, to whom was referred Senate bill No. 36, entitled "an act to legalize the appraisement and assessment of property in cities of this State, the making out and delivering of the tax duplicates in the cities of this State, and the assessment of property by the treasurers of the cities of the State, incorporated under the general laws of this State for the incorporation of cities," have had the same under consideration, and recommend its passage.

Which was laid upon the table.

Mr. Trusler, from the Committee on the Judiciary, made the following report:

MR. SPEAKER:

The Judiciary Committee, to whom was referred Joint Resolution No. 4, entitled "a Joint Resolution proposing an amendment to the 23d section, article 4, of the Constitution, so as to provide for laws enabling cities, towns, townships and school districts, to raise money

or the support of common schools," respectfully report, that they ave had the same under consideration, and whereas this House has assed a Joint Resolution from the Senate embracing the same subect, recommend that the said Joint Resoletion No. 4 be indefinitely ostponed.

Which, on motion by Mr. Newcomb, was recommitted to the Judiiary Committee.

Mr. Trusler, from the Committee on the Judiciary, made the ollowing report:

Ir. Speaker:

The Judiciary Committee, to whom was referred House bill No. 7, entitled "a bill to provide for the settlement of the estate of ersons who have been absent from their places of residence, and ot heard from for seven years or more;" respectfully report that ey have had said bill under consideration, and recommend its assage.

Which was laid on the table.

Mr. Newcomb, from the Committee on the Judiciary, made the llowing report:

Ir. Speaker:

The committee on the Judiciary, to whom was referred Senate bill o 69, entitled "a bill to amend the 24th section of an act entitled an act to authorize a company to construct the Aurora and Laughey turnpike, approved Feb. 15, 1848,'" have had the same under onsideration, and instruct me to report the same back, and recomend its passage.

Which was laid on the table.

Mr. Miller, from the Committee on Ways and Means, made the ollowing report:

Ir. Speaker:

The Committee on Ways and Means, to whom was referred House ill No. 247, entitled "an act concerning the collection of delinquent axes in the State of Indiana, and declaring an emergency," have ad the same under consideration, and direct me to report the bill ack, and recommend its passage.

Which was laid on the table.

Mr. Spencer, from the Committee on House bill No. 261, reported the following:

MR. SPEAKER:

The Committee to whom was referred House bill No. 261, entitled "an act to amend the 208th section of the Practice act," have had the same under consideration, and direct me to report the bill back to the House, and recommend its passage.

Which was concurred in, and the report laid on the table.

Mr. Church, from the Committee on Swamp Lands, reported the following:

MR. SPEAKER:

The Committee on Swamp Lands, to whom was referred Senate bill No. 104, a bill to amend the 2d section of an act entitled "an act to regulate the sale of Swamp Lands donated by the United States to the State of Indiana, and to provide for the draining and reclaiming thereof, in accordance with the condition of said grant, approved May 29th, 1852," have had the same under consideration, and have directed me to report the same back to the House, and to recommend that the further consideration of the same be indefinitely postponed.

Which was concurred in, and the bill was indefinitely postponed.

Mr. Boyd, from the Committee on Claims, made the following report:

MR. SPEAKER:

The Committee on Claims, to whom was referred the claim of John Kibbey, for services rendered in visiting New York city, with relation to the Stover frauds in Indiana State stocks, beg leave to report that the said Kibbey is entitled to the sum of four hundred and fifty dollars, and we recommend that the same be allowed, and placed in the specific appropriation bill for payment.

Which was referred to the Committee on Ways and Means.

Mr. Veach, from the Committee on Claims, made the following report:

MR. SPEAKER:

The Committee on Claims, to whom was referred the claim of Charles Rindler, for the sum of sixty-nine dollars and ten cents for repairing locks and furnishing keys for this House in 1862, have had the same under consideration, and would recommend that it be allowed, and be incorporated in the specific appropriation bill for payment.

Which was concurred in, and referred to the Committe on Ways and Means.

Mr. Major, from the Committee on Fees and Salaries, made the following report:

MR. SPEAKER:

The Committee on Fees and Salaries, to whom was referred House bill No. 268, an act to amend section 104 of an act entitled "an act to amend sections 78, 79, 94, 95, 104, 142 and 143 of an act entitled an act to provide for the valuation and assessment of the real and personal property, and the collection of taxes in the State of Indiana, &c., &c.," beg leave to report that they have considered the same, and have directed me to report it back, and recommend its passage.

Which was laid on the table.

Mr. Major, from the Committee on Fees and Salaries, made the following report:

MR. SPEAKER:

The Committee on Fees and Salaries, to whom was referred House bill No. 266, a bill allowing clerks of courts a per centage upon all moneys by them received and paid out, from any executor, administrator or guardian, commissioner or trustee of estates of persons deceased, beg leave to report that they have considered the same, and have directed me to report it back, recommending its indefinite postponement.

Which was concurred in, and the bill was indefinitely postponed.

Mr. Burnes, from the Committee on Rights and Privileges, made the following report:

MR. SPEAKER:

The Committee on Rights and Privileges, to whom was referred House bill No. 286, entitled "an act to authorize the county commissioners to grant the right to swing gates on county, township and private roads, and prescribing penalties, have considered the same, and recommend that the bill do pass.

Which was laid on the table.

Mr. Hamrick, from the Committee on Corporations, made the following report:

MR. SPEAKER:

The Committee on Corporations, to whom was referred House bill No. 170, entitled "an act to amend section 22 of an act for the incorporation of towns, defining their powers, providing for the election of officers, &c., have had the same under consideration and have directed me to report the same back to the House, with the recommendation that the bill be laid upon the table, as the provisions of the bill is embraced in the general bill now in the files of the House.

Which was laid upon the table.

Mr. Hamrick, from the Committee on Corporations, made the following report:

MR. SPEAKER:

The Committee on Corporations, to whom was referred House bill No. 230, have had the same under consideration and have directed me to report that, in the opinion of the committee, the bill should not pass they: therefore recommend that the bill be laid upon the table.

Which was concurred in and the bill laid upon the table.

Mr. Lockhart, from the Committee on Railroads, offered the following:

MR. SPEAKER:

The Committee on Railroads, to whom was referred Senate bill

No. 114, being "a bill to amend section 38, of an act entitled an act to provide for the incorporation of railroad companies," approved May 11, 1852, have had the same under consideration and would respectfully report the same back and recommend its passage.

Which was concurred in and the report laid on the table.

Mr. Gleason, from the Committee on Engrossed Bills, reported as follows:

MR. SPEAKER:

The Committee on Engrossed Bills have compared Engrossed House Bills Nos. 218 and 231, and find the same correctly engrossed.

Which was concurred in, and the report laid on the table.

Mr. Shoaff, of Jay, from the Special Committee on House Bill 272, reported the following:

MR. SPEAKER:

The Special Committee, to whom was referred House bill No. 272, entitled "an act to amend section one and two of an act entitled an act fixing the time for holding the Circuit Courts in the Thirteenth Judicial Circuit, regulating the length of the terms thereof, and repealing all laws inconsistent therewith," which act was approved by operation of law on the 17th day of March, 1861, have had the same under consideration, and have instructed me to report said bill back to this House with the recommendation that it should be passed.

Which was concurred in, and the report laid on the table.

Mr. Shoaff, of Jay, from the Committee to whom was referred House bill No. 275, reported as follows:

MR. SPEAKER:

The Committee to whom was referred House bill No. 275, entitled "an act to amend section two of an act entitled an act to amend the fourteenth and eighteenth sections of an act entitled an act to fix the times of holding the Common Pleas Courts in the several counties of this State, the duration of the terms thereof and other matters

properly connected therewith," approved May 11, 1861, have had the same under consideration, and have instructed me to report the bill back to this House and recommend its passage.

Which was concurred in, and the report laid on the table.

Mr. Higgins, from the Committee on Public Expenditures, made the following report:

Mr. Speaker:

The Committee on Public Expenditures, to whom was referred House bill No. 270, have had the same under consideration, and have directed me to report that they recommend that the bill be amended as follows, and that when so amended that the bill pass:

1st. Amend by striking out all after the word "direct," in line 13, in section No. 2, and insert the following: "And the pay of the principal Secretary of the Senate, and the principal Clerk of the House, shall be five dollars per day and mileage the same as allowed to members of the General Assembly as recited in the first section of this act. The pay of Assistant Secretary and Doorkeeper of the Senate, Assistant Clerk and Doorkeeper of the House and the appointees of the Principal and Assistant Secretary of the Senate, and the Principal and Assistant Clerks of the House, shall be five dollars each per day for every day actually employed. The pay of the appointees of the Doorkeeper shall be four dollars per day for every day of actual service and the pay of pages shall be two dollars per day."

2nd. Amend by striking out the third section and insert in lieu thereof the following: "The Clerk of the Committee of Ways and Means shall receive for every day of actual service five dollars and Clerks of other committees shall receive four dollars per day for every day of actual service."

Mr. Henricks moved to reconsider the vote whereby the House passed Senate Joint Resolution No. 3, and recommit with the following instructions:

Recommit Senate Joint Resolution No. 3, to the Committee on the Judiciary with instructions to so amend the same as to include townships and school districts in its benefits.

Mr. Woods moved to amend by inserting "school districts."
Which was agreed to.

BILLS INTRODUCED.

By Mr. Major:

House bill No. 287. A bill to amend the 43d section of an act providing for the settlements of decedents' estates; prescribing the rights, liabilities and duties of officers connected with the management thereof, and the heirs thereto, and certain forms to be used in such settlement.

Which was read a first time, and referred to the Committee on Rights and Privileges of the Inhabitants of the State.

By Mr. Kilgore:

House bill No. 288. A bill providing for extending the terms of Circuit Courts by adjournment, when the pending business shall be unfinished and require such extension of said term; and for calling special terms, and providing compensation to judges for holding such adjourned terms.

Which was read a first time, and referred to the Committee on the Organization of Courts of Justice.

By Mr. Howard:

House bill No. 289. A bill to amend section two of an act entitled "an act regulating the fees of officers, and repealing former acts in relation thereto," approved March 2d, 1855.

Which was read a first time, and referred to the Committee on the Organization of Courts of Justice.

By Mr. Sim:

House bill No. 290. A bill to amend section 51 of an act entitled "an act providing for the election and qualification of Justices of the Peace, and defining their jurisdiction, powers and duties in civil cases."

Which was read a first time, and passed to a second reading on to-morrow.

By Mr. Veach:

House bill No. 291. A bill fixing the time of holding courts in

the Sixth Judicial Circuit, and repealing all laws in conflict therewith.

Which was read a first time, and referred to a select committee of five, members of the Sixth Judicial District.

By Mr. Kilgore :

House bill No. 292. A bill to limit the liability of Inn-keepers.

Which was read a first time, and referred to the Committee on the Judiciary.

Mr. Humphreys offered the following resolution :

Resolved, That the Committee on the Organization of Courts of Justice be instructed to inquire into the expediency of abolishing the Courts of Common Pleas, transferring the civil and criminal business thereof to the Circuit Courts, and establishing instead thereof a Court having exclusive probate jurisdiction.

Mr. Prather moved to refer said resolution to the Special Committee of one from each Congressional District, heretofore appointed on that subject.

Which was agreed to.

Mr. Newcomb moved to suspend the regular order of business, and take up House bill No. 270.

Which was agreed to.

House bill No. 270. A bill fixing the per diem and mileage of members of the General Assembly, Secretaries, Clerks, and Door-keepers thereof,

Was taken up, and, together with the amendments, read a second time.

Mr. Newcomb moved to strike out all that which provides for giving mileage to Clerks.

Which was agreed to.

Mr. Newcomb offered the following amendment to section two :

"The Speaker of the House and the presiding officer of the Senate shall be entitled to one Clerk each, to be appointed by themselves, whose pay shall be four dollars per day each."

Mr. Brown moved to refer the bill and pending amendments to a special committee, composed of Messrs. Newcomb and Henricks.

Which was agreed to.

By Mr. Brown:

House bill No. 293. A bill to amend section four of "an act containing several provisions regarding landlords, tenants, lessors and lessees," approved May 20th, 1852.

Which was read a first time, and passed to a second reading.

By Mr. Pettit:

House bill No. 294. A bill providing for securing to the Common School Fund sums forfeited on recognizance, and fixing the mode for declaring their forfeiture.

Which was read a first time, and referred to the Committee on the Judiciary, and two hundred copies ordered to be printed.

Mr. Sim, by consent, presented

A petition from sundry citizens of Henry county, on the subject of temperance.

Which was referred to the Committee on Temperance.

Mr. Griffith, by consent, offered the following resolution:

Resolved, That the report of Andrew Wallace, President of the Board of Benevolent Institutions, also the report of the Board of Control of the Northern Prison, be taken from the table, and two hundred copies thereof be printed for the use of the House, together with the accompanying message of Governor Baker.

Which was agreed to.

By Mr. Lasselle:

House bill No. 295. A bill to amend section one of "an act to exempt property from sale in certain cases," approved February 17. 1852.

Which was read a first time, and passed to a second reading.

By Mr. Rice:

House bill No. 296. A bill defining vagrancy, and prescribing punishment therefor.

Which was read a first time, and referred to the Committee on the Judiciary.

By Mr. Miller:

House bill No. 297. A bill to provide that any recognizance in a criminal proceeding forfeited by the principal, shall become an absolute judgment against the bail, and collectable upon execution without suit thereon.

Which was read a first time, and passed to a second reading.

HOUSE BILLS AND JOINT RESOLUTIONS ON SECOND READING.

Joint Resolution No. 20. A joint resolution, instructing our Senators and requesting our Representatives in Congress to vote for the passage of an act equalizing the pay of soldiers and officers engaged in the suppression of the rebellion.

Which was, with amendments heretofore offered, read.

The Speaker ordered a call of the House, when the following members answered to their names:

Messrs. Bonner, Boyd, Branham, Brown, Barnes, Burton, Buskirk, Caldwell, Chambers, Collins, Cook, Cowgill Cox, Croan, Crook, Davidson, Dunham, Ferris, Foulke, Glazebrook, Gleason, Goodman, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Hargrove, Harrison, Henricks, Hershey Higgins, Hogate, Hoover, Howard, Humphreys, Hunt, Johnson, Lane, Lasselle, Lemon, Litson, Lockhart, Lopp, Major, Miller, Milroy, Montgomery, McVey, Newcomb, Olleman, Osborn, Perigo, Pinney, Prather, Reese, Rhoads, Rice, Richardson, Riford, Roach, Sabin, Shoaff of Jay, Shuey, Sim, Spencer, Stewart, Stenger, Stringer, Stuckey, Sullivan of Scott, Sullivan of P. & V., Thatcher, Trusler, Upson, Veach, Welch, White, Woodruff, Wright and Zeigler—80.

There being a quorum present, further call was dispensed with.

Mr. Gregory, of Warren, moved to lay the amendments heretofore reported by the committee, relating to direct taxation, on the table.

The question being on laying the amendments, recommended by the committee on the table,

It was agreed to.

Mr. Griffith moved to amend as follows:

Amend by inserting in proper place, "and also, granting pensions

to all surviving soldiers of the war of 1812, who have remained loyal to the government of the United States."

Which was agreed to.

So House Joint Resolution No. 20 was ordered to be engrossed and passed to a third reading.

Leave of absence was granted to Messrs. Cook, Gregory of Warren, Lockhart, Boyd and Upson.

House bill No. 234 was read a second time, ordered to be engrossed and passed to a third reading.

House bill No. 238 was read a second time, and ordered to be engrossed and passed to a third reading.

A message from the Senate, by Mr. Wilson, their Secretary.

Mr. Speaker:

I am directed by the President of the Senate to inform the House that the Senate has passed the following engrossed bills thereof, to-wit:

Engrossed Senate bill No 226. Entitled "a bill to amend certain sections therein enumerated of an act entitled an act regulating the fees of officers," approved March 2, 1865, in which the concurrence of the House is respectfully requested.

House bill No. 245. A bill to amend sections 12, 14, 18, 21, 26, 40, 41 and 42 of an act entitled "an act to provide for a general system of common schools, the officers thereof and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed."

Was taken up.

Mr. Rhoads moved that it be deemed expedient to suspend the Constitutional Rule requiring bills to be read by sections and that said bill be read by title.

The ayes and noes were taken under the Constitution.

Those who voted in the affirmative were,

Messrs. Atkinson, Bonner, Boyd, Burnes, Buskirk, Caldwell, Chambers, Church, Collins, Cook, Cowgill, Cox, Croan, Crook, Davidson, Ferris, Foulke, Gleason, Goodman, Gregory of Montgomery, Groves, Hamrick, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, Humphreys, Hunt, Johnson, Kilgore, Lane, Litson, Lockhart, Lopp, Major, Milroy, Montgomery, McVey, Newcomb, Olleman, Osborn, Perigo, Pinney, Reese, Rhoads, Rice, Richardson, Riford, Roach, Sabin, Shoaff of Jay, Shuey, Sim, Stewart, Stenger, Stringer, Stuckey, Sullivan of Scott, Sullivan of P. & V., Thatcher, Trusler, Veach, Welch, Woodruff, Wright, Woods and Mr. Speaker—70.

Those who voted in the negative were,

Messrs. Glazebrook, Lemon and Prather—3.

So it was deemed expedient to suspend said Constitutional Rule, and said House bill No. 245 was read a second time by its title, and ordered to be engrossed and passed to a third reading.

Mr. Newcomb, from the Select Committee on House bill 270, by consent, made the following report:

Mr. Speaker:

The Select Committee, to whom was referred House bill No. 270, entitled "a bill fixing the per diem and mileage of members of the General Assembly, Secretaries, Clerks and Doorkeepers thereof," have had the same under consideration and report the same back with the following amendments, and, when so amended, they recommend its passage:

1st. Amend the title by adding thereto the following between the words, "Doorkeeper" and "thereof," the words, "and other employees."

2nd. Amend the report of the Committee of Public Expenditures by striking out the second section thereof, and inserting the following: "The Clerk of the Committee on Ways and Means, of the House, shall receive for every day of actual service five dollars, and Clerks of other Committees when appointed by the consent of

the respective Houses, four dollars per day for the time actually employed."

The Speaker of the House and President of the Senate shall each be entitled to one Clerk to be appointed by members, if they deem such Clerk necessary, and the pay of such Clerks shall be four dollars per day each from the date of their appointment, and during their continuance in such employment the folding clerk, appointed or employed by either House, shall be entitled to four dollars per day for the time actually employed.

And we recommend that the first amendment reported by the Committee on Public Expenditures be amended by striking therefrom the following words: "And mileage the same as allowed to members of the General Assembly, as recited in the first section of this act," and when so amended the same be adopted.

The amendments were adopted and the bill ordered to be engrossed and passed to a third reading.

House bill No. 249 was read a second time, and re-committed to the Judiciary Committee.

On motion by Mr. Groves,
The House adjourned.

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2 O'CLOCK, P. M.

The House met.

SPECIAL ORDER FOR THE DAY.

House bill No. 218. A bill to amend sections three and four of an act entitled "an act to regulate and license the sale of spirituous, vinous, malt, and other intoxicating liquors; to prohibit the adulteration of liquors; to repeal all former laws contravening the provisions of this act, and prescribing penalties for the violation thereof," ap-

proved March 5th, 1859, and prescribing penalties in case of a second or subsequent conviction.

The question being, shall said bill be considered as engrossed, and read a third time.

Mr. Shuey moved to postpone the further consideration of said bill until Tuesday next, at 10 o'clock, A. M.

Mr. Brown moved to lay the motion to postpone on the table.
Which was not agreed to.

The question being on the motion of Mr. Shuey, to postpone till Tuesday next, at 10 o'clock.
It was agreed to.

Mr. Branham moved to make House bill No. 285 the special order for the day for Tuesday next, at 2 o'clock.
Which was agreed to.

The Speaker laid before the House the following communication:

INDIANAPOLIS, December 1, 1865.

To the Honorable Speaker and members of the Indiana House of Representatives:

GENTLMEN:—The Indiana Hebrew Congregation, through their Committee on Building, take the pleasure of extending to you an invitation to be present at the ceremonies of laying the corner stone of the new Temple, to be erected by said congregation, on Thursday, December 7th, 1865, (Thanksgiving Day,) at 2 o'clock, P. M., and express the hope that you will honor them with your presence. Place of meeting, Tabernacle, in Court House Square, at 1 o'clock, P. M.

I have the honor to remain,
Your obedient servant,
J. WECLISLER,
Secretary Building Committee.

Leave of absence was granted to Mr. Sullivan, of Scott, during next week.

On motion by Mr. Branham,
The House adjourned.

SATURDAY MORNING, 9 o'clock, }
December 2, 1865. }

The House met pursuant to adjournment.

The Speaker ordered a call of the House, when the following members answered to their names:

Messrs. Abbett, Atkinson, Bonner, Branham, Brown, Burnes, Burwell, Caldwell, Church, Collins, Cook, Cowgell, Cox, Croan, Crook, Davidson, Ferris, Foulke, Gleason, Goodman, Groves, Hamrick, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate Hoover, Humphreys, Hunt, Johnson, Kilgore, Lemon, Litson, Lopp, Major, Miller, Milroy, Montgomery, McVey, Newcomb, Osborn, Perigo, Pinney, Prather, Reese, Rice, Richardson, Riford, Roach, Shoaff of Jay, Shuey, Sim, Stewart, Stenger, Stringer, Sullivan of P. and V., Veach, Weikel, Welch, White, Woodruff, Wright, Woods, Zeigler, and Mr. Speaker—67.

There being a quorum present,
On motion,
The reading of the journal was dispensed with.

PETITIONS, MEMORIALS AND REMONSTRANCES.

By Mr. Cox:

A petition from Wm. H. Coffin and others, from Greensfork, Indiana, praying for the repeal of the "Black Laws."
Which was referred to the Committee on the Rights and Privileges of the Inhabitants of the State.

By Mr. Caldwell:

A petition from sundry citizens of Wabash county, on the subject of temperance.
Which was referred to the Committee on Temperance.

By Mr. Sim:

A petition from sundry citizens of Cambridge City, Indiana, asking

that no bills be passed, on the subject of temperance, now before the House.

Which was referred to the Committee on Temperance.

By Mr. Foulke:

A petition from sundry citizens of the State, praying for a repeal of the "Black Laws."

Which was referred to the Committee on the Rights and Privileges of the Inhabitants of the State.

By Mr. Miller:

A memorial from John Dauphin, on the subject of a Bureau of Immigration.

Which was referred to the Committee on Agriculture.

By Mr. Newcomb:

A petition on the subject of temperance, signed by John McDowell and four hundred others.

Which was referred to the Committee on Temperance.

By Mr. Higgins:

A protest against the pardoning of Jefferson Davis and other leaders of the rebellion, signed by George Ames and others.

Which was referred to the Committee on Federal Relations.

REPORTS OF COMMITTEES.

Mr. Higgins, from the Committee on Ways and Means, made the following report:

MR. SPEAKER:

The Committee on Ways and Means, to whom was referred House bill No. 136, have had the same under consideration, and have directed me to recommend its passage.

Which report was laid on the table.

Mr. Cox, from the Committee on Ways and Means, made the following report:

MR. SPEAKER:

The Committee on Ways and Means, to whom was referred House bill No. 103, have had the same under consideration, and direct me to report that the bill, with the accompanying amendment, be laid on the table.

Which was agreed to.

Mr. Higgins, from the Committee on Ways and Means, made the following report:

MR. SPEAKER:

The Committee on Ways and Means, to whom was referred House bill No. 99, have had the same under consideration, and have directed me to recommend its passage.

Which report was laid upon the table.

Mr. Major, from the Committee on Fees and Salaries, made the following report:

MR. SPEAKER:

A majority of the Committee on Fees and Salaries, to whom was referred House bill No. 246, "an act to amend the 10th section of an act entitled 'an act regulating the fees of officers, and repealing former acts in relation thereto,'" beg leave to report that they have considered the same, and that in their opinion further legislation upon the subject matter of said bill is inexpedient.

Which was concurred in, and the bill laid upon the table.

Mr. Hamrick, from the Committee on Corporations, made the following report:

MR. SPEAKER:

The Committee on Corporations, to whom was referred House bill No. 194, entitled "a bill to amend the 33d section of an act to repeal all general laws now in force for the incorporation of cities, &c.," have had the same under consideration, and have directed me to

report the same back to the House, with the recommendation, that as the provision of this bill is contained in the general bill now pending, in this House, the bill be laid upon the table.

Which was concurred in, and the bill laid upon the table.

Mr. Brown, from a special committee, made the following report:

MR. SPEAKER:

The Special Committee, to whom was referred House bill No. 244, entitled "an act to regulate the granting and issuing of licenses to locomotive engineers," report the same back to the House, and recommend that the same be laid upon the table, and in place thereof, report a bill upon the same subject, which is herewith submitted to the House, and the passage of which is recommended.

Which report was laid upon the table.

BILLS INTRODUCED.

By Mr. Cox:

House bill No. 298, A bill to prevent the running at large of swine, prescribing the penalties for violating its provisions, and declaring an emergency.

Which was read a first time, and referred to the Committee on Agriculture.

By Mr. Cowgill:

House bill No. 299. A bill to legalize the official acts of certain officers therein named, and the acts of their deputies, as such, while the principals were performing military service in the army of the United States.

Which was read a first time, and referred to the Committee on the Judiciary.

Mr. Wright offerred the following resolution:

Resolved, That the use of this Hall be tendered to Rev. T. A. Goodwin for next Monday evening, to explain the peculiarities of the Order of the Host of Temperance, and the kind of legislation which that organization asks on the Temperance question.

Which was agreed to.

Mr. Griffith offered the following resolution:

Resolved, That the Committee on Education be requested to report a bill so amending the school law as to allow the special school tax to be increased to fifty cents on the one hundred dollars.

Mr. Higgins moved to lay the resolution on the table.

Messrs. Griffith and Wright demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Bird, Bonner, Brown, Burnes, Burwell, Buskirk, Caldwell, Church, Coffroth, Collins, Cowgill, Cox, Croan, Crook, Davidson, Ferris, Foulke, Glazebrook, Goodman, Gregg, Groves, Hargrove, Henricks, Hershey, Higgins, Hoover, Humphreys, Hunt, Johnson, Kilgore, Lane, Lopp, Major Milroy, Montgomery, Newcomb, Osborn, Patterson, Perigo, Pinney, Prather, Rice, Richardson, Riford, Roach, Sabin, Shoaff of Jay, Sim, Stewart, Stenger, Stringer, Trusler, Weikel, Welch, Woodruff, Woods and Mr. Speaker —59.

Those who voted in the negative were,

Messrs. Chambers, Griffith, Hogate, Litson, Miller, Reese, Shuey, Sullivan of P. & V., Veach, White and Wright—11.

So the resolution was laid on the table.

Mr. Miller, from the Committee on the Organization of Courts of Justice, made the following report:

Mr. Speaker:

The Committee on the Organization of Courts of Justice, to whom was referred House bill No. 280, a bill to amend section 14 of an act entitled "an act to limit the number of Grand Jurors &c.," have had the same under consideration, and direct me to report the same back to the House, and recommend its passage.

Which report was laid on the table.

Mr. Miller, from the Committee on Courts of Justice, made the following report:

MR. SPEAKER:

The Committee on the Organization of Courts of Justice, to whom was referred House bill No. 278, a bill creating the sixteenth judicial circuit, and providing for the election of a judge and prosecuting attorney, have had the same under consideration, and direct me to report the same back, and recommend its passage.

Which report was laid upon the table.

Mr. Miller, from the Committee on the Organization of Courts of Justice, made the following report:

MR. SPEAKER:

The Committee on the Organization of Courts of Justice, to whom was referred House bill No. 277, a bill to amend sections two and five of an act providing for an organization of Circuit Courts, the election of judges thereof, and defining their duties, have had the same under consideration, and direct me to refer the bill back to the House, and recommend its passage.

Which report was laid upon the table.

Mr. Miller, from the Committee on the Organization of Courts of Justice, made the following report:

MR. SPEAKER:

The Committee on the Organization of Courts of Justice, to whom was referred House bill No. 279, have had the same under consideration, and direct me to report the same back, and recommend its passage.

Which report was laid on the table.

By Mr. Miller:

House bill No. 300. A bill to amend section 19 of an act entitled "an act to revise, simplify and abridge the rules, practice, pleadings and forms in criminal actions in the courts of this State, approved June 17, 1852.

Which was read a first time, and passed to a second reading.

Mr. Coffroth moved to suspend the regular order of business, that he may make a motion to print the several bills establishing criminal courts.

Which was agreed to.

Mr. Coffroth moved that 200 copies of each of said several bills be printed for the use of the House.

Which was agreed to.

Mr. Buskirk moved to further suspend the order of business, and read said bills a second time.

Which was agreed to.

House bill No. 277. A bill to amend sections two and five of an act entitled "an act providing for the organization of Circuit Courts, the election of Judges thereof and defining their powers and duties," approved June 1, 1852.

Was read a second time, and,

On motion by Mr. Newcomb,

Was made the special order for Wednesday morning at 10 o'clock.

House bill No. 278. A bill creating the Sixteenth Judicial Circuit and providing for the election of a Judge and Prosecuting Attorney thereof, declaring its jurisdiction and providing for a transfer of action thereof.

Was read a second time and made a special order for Wednesday morning at the same hour.

House bill No. 279. A bill to amend sections 9 and 10 of an act prescribing the powers and duties of Justices of the Peace in State prosecutions.

Was read a second time and made the special order for Wednesday morning next at the same hour.

House bill No. 280. A bill to amend section 14 of an act entitled "an act to limit the number of grand jurors and to point out the mode of their selection, defining their jurisdiction and repealing all laws inconsistent therewith," approved March 4, 1852.

Was read a second time, and made the special order for Wednesday morning at the same hour.

Mr. Brown moved to suspend the regular order of business and take from the Speaker's table House bill 301.

Which was agreed to.

House bill No. 301. A bill to provide for and regulate the issuing and granting of licenses to Locomotive Engineers within the State of Indiana and prescribing penalties for the violation of the provisions thereof.

Was read a first time.

Mr. Brown moved to make the bill the special order for Wednesday next at 2 o'clock, P. M., and that 150 copies be printed.

Mr. Montgomery asked for a division of the question.

The question being, first, on making the same a special order.

It was agreed to.

The question next, being the order to print.

It was agreed to.

Mr. Brown, from the Committee on the Judiciary, on previous leave being had, made the following minority report:

MR. SPEAKER:

The minority of the Committee on the Judiciary, to whom was referred House bill No. 25 entitled "an act to repeal an act entitled an act to prohibit the evidence of Indians and persons having one-eighth or more of negro blood, in all cases where white persons are parties in interest," approved February 14, 1853, respectfully report that they have had the same under consideration and recommend that said bill be indefinitely postponed.

Which was laid upon the table.

Mr. Newcomb moved to make House bill No. 25 the special order for Monday next at 2 o'clock, P. M.

Which was agreed to.

HOUSE BILLS ON SECOND READING.

House bill No. 254 was read a second time, ordered to be engressed and passed to a third reading.

House bill No. 255 was read a second time, ordered to be engrossed and passed to a third reading.

House bill No. 253 was read a second time, ordered to be engrossed and passed to a third reading.

House bill No. 164 was read a second time, ordered to be engrossed and passed to a third reading.

Mr. Henricks moved to suspend the order of business, and take up House bill No. 270.

Which was agreed to.

On motion, it was considered as engrossed.

House bill No. 270. A bill fixing the *per diem* and mileage of members of the General Assembly, Secretaries, Clerks, Doorkeepers and other employees thereof.

Was read a third time, and made the special order for Monday next at 3 o'clock.

House bill No. 240 was read a second time, ordered to be engrossed and passed to a third reading.

House bill No. 241 was read a second time, ordered to be engrossed and passed to a third reading.

House bill No. 271 was read a second time, ordered to be engrossed and passed to a third reading.

House bill No. 252 was read a second time, ordered to be engrossed and passed to a third reading.

House bill No. 237 was read a second time, ordered to be engrossed and passed to a third reading.

House bill No. 239 was read a second time, ordered to be engrossed and passed to a third reading.

House bill No. 276 was read a second time, ordered to be engrossed and passed to a third reading.

Mr. Litson moved to adjourn until Monday at 2 o'clock P. M.

Which was not agreed to.

Mr. Newcomb moved to adjourn until 2 o'clock, this afternoon.
Which was agreed to.

On motion,
The House adjourned till 2 o'clock this afternoon.

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2 O'CLOCK, P. M.

House met.

Mr. Henricks in the Chair.

Mr. Wright moved that the House do now adjourn till Monday next at 2 o'clock, P. M.
Which was not agreed to.

House bill No. 263, was taken up, read a second time, and passed to a third reading.

Mr. Lopp moved a call of the House.
Which was not ordered.

Mr. Hamrick, by consent, introduced

House bill No. 302. A bill to amend section fourteen of an ac authorizing the construction of plank, macadamized and gravel roads approved May 12th, 1852.
Which was read a first time, and referred to the Committee o Corporations.

Mr. Higgins moved to take up Senate bills on first reading.
Which was agreed to.

Senate bill No. 22. A bill to amend section ten of an act entitle an act providing for the election and qualification of Justices of th Peace, and defining their jurisdiction, power, and duties, in civ cases, approved June 9th, 1852.
Was read a first time and referred to the Committee on th Organization of Courts of Justice.

Senate bill No. 175. A bill to authorize the formation of companies for the detection and apprehension of horse thieves, and other felons, and for mutual protection, and repealing all laws inconsistent therewith.

Was read a first time and referred to the Committee on Corporations.

Engrossed Senate bill No. 21. A bill to amend sections 9, 10, 18, 23, 24 and 33, of an act entitled an act to incorporate the town of Vernon, Jennings county, Indiana, approved January 22d, 1851.

Was read a first time and referred to the Committee on Corporations.

A message from the Senate by Mr. Wilson, their Secretary.

MR. SPEAKER:

I am directed by the President of the Senate, to inform the House that the Senate has passed the following engrossed bills thereof, to-wit:

Engrossed Senate bill No. 201, entitled, "a bill to provide for the care and treatment of the incurable insane of the State of Indiana, and matters properly connected therewith." Also,

Engrossed Senate bill No. 227, entitled, "An act for the relief of Isaac D. Armstrong, Treasurer of the county of Clinton, in the State of Indiana." Also,

Engrossed bill No. 233, entitled an act to enable any child heretofore adopted, or which may be hereafter adopted by any person, under the laws of any State of the United States, to take and hold real estate in this State, as if the child had been adopted under the laws and within the State of Indiana. Also,

Engrossed bill No. 265, entitled an act fixing the times of the terms of the Wells Circuit Courts, providing for returns of process therein, prescribing the duration thereof, repealing conflicting laws, and declaring when this act shall take effect. Also,

Engrossed Senate bill No. 66, entitled "an act to amend section 11 of an act entitled an act to fix the times of holding the Common Pleas Court, in the several counties of this State, creating a new dis-

trict, providing for the election of a Judge therein, the duration of the terms thereof, and making all process from the present Common Pleas Court, returnable to such terms, declaring when this act shall take effect, and repealing all laws inconsistant therewith," approved March 5th, 1859.

I am further directed by the President of the Senate to inform the House of Representatives that he has signed the following enrolled acts of the Senate, to wit:

Enrolled act No. 4; also, Enrolled act No. 25; also, Enrolled act No. 82; also, Enrolled act No. 84; also, Enrolled act No. 115.

And that the same have been transmitted to the Executive Department for the signature of the Governor.

Senate bill No. 27. A bill to amend section 4 of an act entitled "an act prescribing certain misdemeanors punishable only by a Justice of the Peace, approved June 7, 1852.

Was read a first time, and referred to the Committee on the Rights and Privileges of the Inhabitants of the State.

Engrossed Senate bill No. 106. A bill to amend section 119 of an act entitled "an act to revise, simplify and abridge the rules, practice, pleadings and forms in criminal actions in this State," approved June 17, 1852, so far as to strike out so much thereof as requires the appellee to pay the cost of the appeal, when the decision of the court below is decided to be erroneous.

Was read a first time, and referred to the Committee on the Judiciary.

Senate bill No. 142. A bill defining the crime of drunkenness, and prescribing penalties therefor.

Was read a first time, and referred to the Committee on Temperance.

Senate bill No. 185. A bill for the incorporation of Hotel Companies.

Was read a first time, and referred to the Committee on Corporations.

Mr. Lane asked and obtained leave of absence.

Engrossed Senate bill No. 205. A bill to fix the time of holding the circuit Court in the several counties composing the seventh judicial district, and repealing all laws in conflict therewith.

Was read a first time, and referred to the following select committee.

Messrs. White, Stivers, Croan, Kilgore, Montgomery and Burwell.

Senate bill No. 206. A bill supplemental to an act entitled "an act to authorize, regulate and confirm the sale of railroads, to enable purchasers of the same to form corporations, and exercise corporate powers, and to define their rights, powers and privileges, to enable such corporations to purchase and construct connecting and branch roads, and to operate and maintain the same," approved March 3, 1865, and for the purpose of making the same more definite and certain.

Was read a first time, and referred to the Committee on Railroads.

Senate bill No. 211. A bill supplemental to an act entitled "an act to incorporate the White River Navigation Company," approved Feb. 13, 1857, and an act entitled "an act to amend the third section of an act entitled 'an act to incorporate the White River Navigation Company, approved Feb. 13, 1851, and to further extend the rights and privileges of said company.

Was read a first time, and referred to the Committee on Railroads.

Senate bill No. 217. A bill to amend sections 1, 3, and 14 of an act entitled "an act to allow county commissioners to organize turnpike companies where three fifths of the people representing the real estate within prescribed limits, petition for the same, and to levy a tax for its construction, and provide for the same to be free.

Was read a first time, and referred to the Committee on Roads.

Senate bill No. 221. A bill for the punishment of officers of elections for receiving illegal votes.

Was read a first time, and referred to the Committee on Elections.

Senate bill No. 231. A bill to legalize and render valid and effectual all the orders, judgment and other proceedings made, rendered and had by and before the Common Pleas Court of Clinton county in this State, held in the court house of said county in the months of

October and November, in the year one thousand eight hundred and sixty-five, and then and there by and before the several judges of the said Court.

Was read a first time, and referred to the Committee on the Judiciary.

Senate bill No. 226. A bill to amend sections 10, 12, 13, 14, 15, 16, 17, 18, 21 and 22 of an act entitled "an act regulating fees of officers, and repealing former acts in relation thereto," approved March 2, 1865, and providing when the same shall take effect.

Was read a first time, and referred to the Committee on Fees and Salaries.

Engrossed Senate bill No. 66. A bill to amend section 11 of an act entitled "an act to fix the time of holding the Common Pleas Court in the several counties of this State, creating a new district providing for the election of Judge therein, the duration of the terms thereof, and making all process from the present Common Pleas Court returnable to such terms declaring when this act shall take effect, and repealing all laws inconsistent therewith," approved March 5, 1859.

Was read a first time and referred to the following Special Committee: Messrs. Bonner, White and Stewart.

Senate bill No. 201. A bill to provide for the care and treatment of the incurable insane of the State of Indiana and matters properly connected therewith.

Was read a first time and referred to the Committee on Benevolent Institutions.

Senate bill No. 227. A bill for the relief of Isaac D. Armstrong, Treasurer of the county of Clinton, in the State of Indiana.

Was read a first time and referred to the following select committee of five: Messrs. Caldwell, Lockhart, Milroy, Church and Buskirk.

Senate bill No. 233. A bill to enable any child heretofore adopted or which may be hereafter adopted by any person under the laws of any State of the United States, to take and hold real estate in this State as if the child had been adopted under the laws and within the State of Indiana.

Was read a first time and referred to the Committee on the Judiciary.

Senate bill No. 265. A bill fixing the time of the terms of the Wells Circuit Court, providing for returns of process therein, prescribing the duration thereof, repealing conflicting laws, and declaring when this act shall take effect.

Was read a first time and referred to the following committee: Messrs. Burwell, Griffith and Shoaff, of Jay.

Mr. Gregg asked, and obtained, leave to record his vote against the passage of House Joint Resolution No. 1.

SENATE BILLS ON SECOND READING.

Senate bill No. 120. An act empowering District Prosecuting Attorneys to administer oaths in the discharge of their duties.

Was read a second time and passed to a third reading.

On motion by Mr. Osborn,
The House adjourned till Monday morning, 9 o'clock.

MONDAY MORNING, 9 o'clock,
December 4, 1865.

House met pursuant to adjournment.

On motion by Mr. Buskirk,
Mr. Hamrick was called to the Chair.

On motion by Mr. Buskirk,
The reading of the Journal, of Saturday, was dispensed with.

REPORTS FROM STANDING COMMITTEES.

Mr. Hogate, from the Committee on Agriculture, made the following report:

Mr. Speaker:

The Committee on Agriculture, to whom was referred House bill No. 243, "a bill to authorize the appointment of a Commissioner to

co-operate with other National and State authorities in forwarding to and exhibiting the agricultural, mechanical, manufacturing, mineral, artistic and other products of the State of Indiana, at the Universal Exposition, to be held at the city of Paris, in the year 1867," have had the same under consideration and recommend that all after the enacting clause be stricken out and the following be inserted in lieu of the original bill:

That it is hereby made the duty of the Governor to select a suitable and competent person, conversant with the English, French and German languages, as a Commissioner to act in conjunction with the State and National authorities appointed to discharge the duties connected with the great Industrial Exhibition or Universal Exposition at the French capitol in 1867. The duties of said Commissioner to be as follows:

1st. He shall present to the public of this State the advantages to result from their forwarding for representation, at said Exhibition, such articles agricultural, manufacturing, mechanical, mineral, artistic and the like, as would be best calculated, when exhibited at the Exposition, to awaken the attention of Europeans to the advantage which the State of Indiana presents for immigration; and he should invite from citizens such contributions of the above character, to be sent, duly labeled, to a central point, indicated by him.

2d. He shall himself use all reasonable exertions in collecting and preparing such other objects in the State, natural and manufactured, as shall further subserve the above purpose.

3d. He shall make the necessary arrangements for receiving and forwarding all articles, designed by citizens of Indiana for the Paris Exhibition, to the Atlantic seabord, and deliver them to the authorities appointed by the general government.

4th. He shall provide, at the suitable time, for the favorable display of said articles, in such manner, as to serve for the advertisement of articles of worth, sent by individual citizens of Indiana, and also as a standing source of attraction and information to emigrants looking out for locations.

5th. He shall use such other means as may be deemed advisable and within the prescribed limits of expenditures, to exhibit a

geological map of the State; also, to present, when occasion permits, the advantages which the State possesses for emigrants, and to circulate hand-bills, or other documents, in English, French and German, furnishing information relative to the resources and advantages of the State.

6th. He shall make a report to the Governor, at or about the close of the Exibition for transmission to the Indiana Legislature, giving the most interesting and instructive results of said Exposition.

SEC. 2. That for the carrying out of these duties, there is hereby appropriated out of any money in the State Treasury, not otherwise appropriated, and payable on the warrant of the Governor ———— thousand dollars.

The above sum shall be used in the necessary traveling and boarding expenses of said Commissioner and one Clerk while engaged in the above duties; but not for any salary to either; also, for the transportation of packages of goods designed for the Exhibition, as well as for the purchase of boxes, glass jars, alcohol, arsenic and other necessary materials for the preservation of the natural objects requiring such preservation, an account being kept and rendered of all the above expenditures.

SEC. 3. The Commissioner, thus accredited from the State of Indiana, shall be provided with the necessary credentials to exhibit his authority, and is hereby permitted, the State Board of Agriculture concurring, to use the specimens collected by the State Geologist, under instructions from the State Legislature, and deposited by their order in the State Capitol, but now boxed up for want of room.

SEC. 4. The Indiana Commissioner is further authorized at the close of the Exposition to present all the objects, thus collected, which are not individual property (and by these individuals required to be returned) to such National Museum at Paris, as to said Commissioner shall appear the most suitable depository for said objects, natural or manufactured.

SEC. 5. An emergency existing, in order to meet the regulations requiring notifications to be given by the 31st of January 1866, such emergency is hereby declared, and this bill shall take effect from and after its passage.

Which was concurred in, and the report laid on the table.

Mr. Higgins, by consent, presented a claim from Muson & Johnson, for $19,50.

Which was referred to the Committee on Claims.

Mr. Shuey, from the Committee on Temperance, made the following report:

Mr. Speaker:

The Committee on Temperance to whom was referred Senate bill No. 142, entitled an act defining the crime of drunkenness and prescribing penalties therefor, beg leave to report that they have had the same under consideration, and report the same back, and recommend its passage.

Which report was laid on the table.

HOUSE BILLS ON FIRST READING.

By Mr. Buskirk:

House bill No. 303. A bill to amend the second section of an act entitled an act prohibiting Supreme, Circuit or Common Pleas Judges, County Clerks and Treasurers, Recorders, Sheriffs or their deputies, from practicing law in any of the Courts of this State, except as in this act permitted, and prescribing punishment for the violation thereof, approved March 6th, 1865, and to prescribe the duty of the several Courts of this State in reference thereto.

Was read a first time and referred to the Committee on the Judiciary.

By Mr. Johnson:

House bill No. 304. A bill entitled an act to authorize County Commissioners in certain cases to appropriate money for the benefit of the County Clerks, Auditor, Treasurer and Recorder.

Was read a first time and referred to the Committee on Fees and Salaries.

By Mr. Lasselle:

Joint Resolution No. 22. A Joint Resolution proposing an amendment to section two of article eight of the Constitution of the State, so as to extend the right of suffrage to females as well as males.

Was read a first time and referred to the Special Committee on Constitutional Amendments.

Mr. Coffroth, by consent, made the following report:

Mr. Speaker:

The Special Committee to whom was referred House bill No. 23, entitled "a bill to provide by law for draining and ditching low, wet and overflowed lands in the State of Indiana," have had the same under consideration, and have directed me to report the same back, with the following amendments, to-wit:

1. Amend section first by adding after the word "drain" the words "or the clearing out of any water course."

2. And also in the fifth line of said section after the word "names," the words "if they are known, and if not known, such fact shall be stated."

3. And by adding at the end of said section these words, "and shall appoint the time for the first meeting of such Appraisers."

4. Amend section 2d by adding after the word "run" in the 6th line, the words, "if such names are known."

5. Amend section 3d by adding to the conclusion thereof, these words, "and the time of their first meeting as appointed by said Board of Commissioners."

6. Amend section 4th by adding after the word "width," in 7th line, the words "and fall."

7. And also, by after the word "drain" in the same line of the same section the words, "and the estimated cost of the construction thereof, together with all other incidental expenses."

8. Amend section 5th by adding at the end of said section, the words "or if in the judgment of said Board of Commissioners the same is deemed proper, they may add the whole of said appraisement to be paid the first year."

9. Amend section 6th by striking out of the first line thereof, the word "compute" and insert in lieu thereof, the word "place."

10. Strike out of the second line of said section the words, "and place the same."

11. Amend section 10th by striking out of the 5th line thereof, the words "if so much be in the treasury."

12. Also, add to end of said section, the words "payable out of any money in the Treasury derived from such source."

13. Amend section 11th by striking out the word "one" in the second line and insert "two."'

And that when so amended they do recommend its passage.
Which report was laid on the table.

Mr. Humphreys offered the following Resolution:

Resolved, That the Committee on the Judiciary be instructed to inquire into the expediency of amending the Constitution of the State so as to admit of local legislation in cases in which such legislation cannot now be had.

Which was referred to the Special Committee on Constitutional Amendments.

The Speaker being in the Chair, ordered a call of the House, when the following members answered to their names:

Messrs. Bird, Brown, Buskirk, Coffroth, Collins, Croan, Crook, Davidson, Gleason, Goodman, Griffith, Groves, Hamrick, Hargrove, Henricks, Hershey, Higgins, Hogate, Hoover, Humphreys, Hunt, Johnson, Lasselle, Lee, Lemon, Lopp, Major, Montgomery, McVey, Newcomb, Osborn, Perigo, Richardson, Riford, Roach, Shoaff of Jay, Shuey, Spencer, Thatcher, Veach, Weikel, Welch, Wright and Mr. Speaker—44.

There being no quorum present,

Mr. Coffroth moved that the House adjourn to 2 o'clock this afternoon.

Which was agreed to.

2 O'CLOCK P. M.

House met.

On motion by Mr. Abbett, a call of the House was ordered, when the following members answered to their names :

Messrs. Abbett, Atkinson, Bird, Bonner, Brown, Buskirk, Caldwell, Collins, Croan, Crook, Davidson, Ferris, Gleason, Goodman, Griffith, Groves, Hamrick, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Humphreys, Hunt, Johnson, Lemon, Litson, Lopp, Major, Meredith, Miller, McVey, Newcomb, Olleman, Osborn, Perigo, Prather, Reese, Richardson, Riford, Shoaff of Jay, Shuey, Spencer, Stringer, Stuckey, Sullivan of Posey and Vanderburg, Thatcher, Veach, Weikel, Welch, White, Wright, Zeigler and Mr. Speaker.—57.

Mr. Spencer moved that further proceedings under the call be dispensed with.
Which was not agreed to.

The doors were closed and the Doorkeeper directed to send for absentees.

The Doorkeeper reported Messrs. Foulke, Sim, Cox, Wood, Coffroth, Sullivan of P. & V., Branham, Montgomery and Lasselle, as present.

Mr. Spencer moved that the House do now adjourn.
Which was not agreed to.

Mr. Brown moved that a further call of the House be dispensed with.
Which was not agreed to.

By unanimous consent, a further call of the House was had, when the following members answered to their names :

Messrs. Abbett, Atkinson, Bird, Bonner, Branham, Brown, Buskirk, Caldwell, Coffroth, Collins, Cox, Croan, Crook, Davidson, Ferris, Foulke, Gleason, Goodman, Gregg, Griffith, Groves, Hamrick,

Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Humphreys, Hunt, Johnson, Lasselle, Lemon, Litson Lopp, Major, Meredith, Miller, Montgomery, McVey, Newcomb, Olleman, Osborn, Perigo, Prather, Reese, Richardson, Riford, Roach, Shoaff of Jay, Shuey, Sim, Spencer, Stringer, Stuckey, Sullivan of P. & V., Thatcher, Veach, Weikel, Welch, White, Wright, Woods, Zeigler and Mr. Speaker—66.

There being no quorum,
On motion by Mr. Higgins,
The House adjourned.

TUESDAY MORNING, 9 o'clock,
December 5, 1865.

House met pursuant to adjournment.

The Journal was read and approved.

The Speaker announced the following as the select committee on the resolution of Mr. Humphrey:

Messrs. Humphrey, Hargrove, Dunham, Brown, Bonner, Chambers, Harrison, Caldwell, Lasselle, Shuey and Burwell.

The Speaker announced the following as the select committee on House bill No. 284, to wit:

Messrs. Patterson, Gleason, Lockhart, Gregg and Richardson.

The Speaker announced the following as the select committee on the petition of John T. Campbell:

Messrs. Rice, Cook, Groves, Abbett, Stenger, Reese, Major, Veach, Stringer, Hoover, Bird and Collins.

The Speaker announced the following select committee on House bill No. 291:

Messrs. Veach, Buskirk, Burton, Hamrick and Meredith.

The Speaker laid before the House the following communication from the Adjutant General of the State:

EXECUTIVE DEPARTMENT OF INDIANA,
ADJUTANT GENERAL'S OFFICE,
Indianapolis, Ind., December 3, 1865.

HON. JOHN U. PETTIT, *Speaker of the House of Representatives:*

SIR:—In compliance with a resolution of the House of Representatives, passed on the 28th ultimo, which reads as follows, to-wit:

Resolved, That the Adjutant General be requested to report to the House the amount unexpended of the appropriations made for his office at the last regular session of the General Assembly for the year 1865, together with his estimate of the amount that will necessarily be required of the appropriations made for the year 1866. And that he further report the amount of clerical force that will, in his opinion, be necessary for the proper performance of the duties of his office for the year 1866, and a statement of the work remaining to be completed which is not a part of the ordinary and regular business of the office.

I have the honor to submit the following report:

The appropriations made at the last regular session for the expenses of the office were as follows:

For 1865, to complete the unfinished and deferred work	$ 9,200 00
For 1865, for the current work	12,000 00
Making	$21,200 00
The expenditures up to the 31st of December next will amount to	$13,646 84
Leaving unexpended balance	$ 7,553 16
There was also appropriated for expenses for 1866, for the current work	$12,000 00
Making, with unexpended balance	$19,553 16

My estimate is that $9,553 16 will be sufficient for the expenses of 1866, leaving of the appropriations to be applied to other objects $10,000.

The expenses during the present year have been increased somewhat beyond my expectations at the time the appropriations were

made, because of the absolute necessity of entirely refitting the office with new cases and furniture so as to secure a proper systemization and arrangement of records and papers, without which business could only be done at great disadvantage, involving delay and an increase of expense. The amount thus expended is near $1,500, but when a comparison is made between the former arrangement and the present it is believed no just cause of complaint can be urged for making the change.

A portion of the time, during the present year, eleven clerks were employed, but the average number has been eight. The expense for clerk hire at this time is $925 per month, and one messenger and porter at $35 per month. By the 1st of January next I hope to get along with six clerks, and within two or three months thereafter may be able to further reduce the force. But as the work yet to be done, in addition to the ordinary and regular business of the office, is very considerable and cannot be accomplished without the assistance of experienced clerks, it is impossible to state with exactness, the reduction that may be made. As heretofore, I shall endeavor to keep the expenses of the office as low as the demands of the public service will allow.

The business of the office, that is to say, the unfinished and deferred work, and the ordinary or regular work, is so blended together that I cannot undertake to convey an idea of it except as a whole.

The records of the officers commissioned in the various organizations of the State are complete, and have all been transcibed and placed in the hands of the printer. Two large volumes will be required for this part of the report, which will contain the names of over 17,000 officers and about 300 pages of historical matter. The first volume will be laid upon your desks in a day or two or as soon as the binding can be done. The other is being printed as fast as possible. The services of two persons are required in collecting facts and preparing the accompanying historical sketches, and in reading the proof-sheets of the entire work.

Many of the records of non-commissioned officers and privates (altogether not less than two hundred and fifty thousand names) are defective in not showing *what became of the men.* Probably there are 30,000 cases of this kind, arising from the fact that no record of the early organizations, except the muster-in-rolls, were filed in this office, and even all of these are not on file. Muster-out-rolls *which account for each soldier,* were not furnished prior to the mon-

of April last. Through the courtesy of officers, formerly connected with the organizations alluded to, the rolls of the office have been perfected and increased largely during the year. It has been my aim to make these records full and complete, and to publish, as required by the resolution of your honorable body passed last session, a faithful and accurate military history of *each officer and soldier* from this State during the whole time he may have been connected with the service. The missing data I hope to procure from the War Department in time for insertion in regular order in the proper volumes of the official report. Up to this time the labors devolving on the department have prevented the officers in charge from furnishing copies of records so extended as these. In the meantime the records that are complete are being arranged and transcribed for publication. In addition, I have in preparation and will complete as soon as the regiments remaining in service are mustered out, a full report of all the facts and documents relating to recruiting and organizing troops, enrollment, quotas, credits and drafts, local bounties, relief to soldiers families, organization and service of the Indiana Legion, services of Minute Men during the Morgan raid, State arms, expenditures by the State on account of the war, list of deaths in rebel prisons and of soldiers buried at Gettysburg and on other battle fields, the aggregate of troops raised and of deaths, discharges for disability, and desertions, with other valuable and interesting facts worthy of preservation.

Many thousand soldiers have been discharged or mustered out at hospitals, or while absent from their commands on detached service, portions of regiments and companies have been discharged in detachments by reason of expiration of terms of service, and other portions have been assigned and transferred to other regiments to complete the terms of their enlistments. To keep trace of these classes of troops and perfect their records has been a work of no small magnitude and labor, but its importance must be apparent to every one. In adjusting every claim, it is not only necessary to produce official evidence of the muster-in of the soldier, but it is, also, essential to show his military service and history, as for instance: the date and cause of his death, discharge, or muster-out, &c. When a regiment is discharged evidence to procure pensions, back pay, &c., is furnished from this office; while in the field it is given by the regimental and company commanders. Applications for evidence of this character from discharged soldiers and from the friends, relatives and representatives of deceased soldiers, as well as from the Pension

office and Bureaus of the Treasury Department at Washington, are being made constantly, without any prospect of a decrease for months to come.

From the work occasioned by the muster-out of a single regiment a general idea may be formed of the labors required by the muster-out of eighty-six regiments and twenty-four batteries since the middle of June last. A regiment usually requires about two hundred separate official certificates from the records of this office to enable its officers and men to draw their mileage, pay, bounties, &c. These can only be made up from careful examination of the records and files, and frequently several days are required to complete them for a single regiment.

The business pertaining to correspondence, personal inquiries, regiments in the field, keeping up records and other matters innumerable, comprising the ordinary and rugular work, has been constant and heavy, and must so continue for a year at least.

The final settlement of affairs connected with the Indiana Legion and the adjustment of account for sums received from the Genera Government, has reqired considerable time and labor, and is only partially completed. These matters are of very great importance t the State, and cannot with safety be postponed.

Important business, relating to Indiana War Claims, required m presence at Washington for about three weeks in June and July last and one of my clerks was also there for about the same length of time attending to important business connected with the interests of Indiana troops belonging to General Sherman's army. These trips, c course, retarded the business of the office, and increased its expenses The adjustment of the War Claims of the State, filed against th General Government, amounting to over $2,000,000, has bee intrusted by the Governor to the Auditor of State and myself, an this duty will probably require me to spend a portion of my tim during the coming year, in Washington.

For a more extended account of the transactions during the pa year, and of the work remaining to be done, reference is hereby ma to my communication presented to the Legislature with the Go ernor's message, at the present session, a copy of which is here appended.

In conclusion, I respectfully suggest that the Military Committ of the House, in conjunction with the Military Committee of t

Senate—or at least the chairman thereof—be directed to thoroughly examine this office, and make such recommendations as they may deem for the best interests of the public service.

Respectfully submitted,

W. H. H. TERREL,

Adjutant General Indiana.

Which, on motion, was referred to the Committee on Ways and Means.

The Speaker laid before the House the following report from the warden of the State Prison South:

INDIANA STATE PRISON, SOUTH,
December 2, 1865.

HON. JOHN U. PETTIT,

Speaker of the House of Representatives:

SIR:—In obedience to resolutions of the House of Representatives, Indiana Legislature, (a copy of which I herewith return) I have the honor to submit the following report:

1st. The average expense for provisioning each prisoner in my charge, per day, during October, 1865, was nineteen and one half cents.

2. The books of the prison do not show the number of days each prisoner worked during the months of August, September and October, 1865, but I enclose herewith the statement of days' labor made under contracts each day during those months, which I hope may answer the purpose of the resolution.

3. I also enclose herewith copies of all contracts under which prisoners are now working, which embrace all contracts for use of motive power of prison.

Very respectfully,

J. B. MERIWEATHER,

Warden.

Which was referred to the Joint Committee on State Prisons

PETITIONS, MEMORIALS AND REMONSTRANCES.

The Speaker laid before the House a memorial from the members

of the bar of Miami county, asking that Indians may be allowed to testify, and enjoy the benefits of common schools.

Which was referred to the Committee on the Judiciary.

Mr. Henricks submitted the memorial of M. A. Malott, for relief as cashier of the Branch of the Bank of the State.

Which was referred to the Committee on Claims.

By Mr. Groves:

The following claim in favor of G. W. Forshee, to wit:

For work for State House,
For 2 large iron scrapers, by M. Fenner, $8.00.

Referred to Committee on Claims.

By Mr. McVey:

The petition of R. D. Spellman and others, of Pendleton, Madison county, upon the subject of Temperance.

Which was referred to the Committee on Temperance.

By Mr. Stuckey:

Petition of Daniel Gilbert and others, citizens of Owen county, Indiana, upon the same subject.

Which was referred to the Committee on Temperance.

By Mr. Miller:

The memorial of the County Commissioners of Tippecanoe county, Indiana, asking for the repeal of the act for the relief of the families of soldiers, seamen and marines, except so much as authorizes the collection of the tax for the year 1865.

Which was referred to the Committee on Ways and Means.

By Mr. Bird:

The petition of M. Levy and 254 others, asking that minors be held equally liable, and be punished the same as the liquor seller, for infringement of the license law.

Which was referred to the Committee on Temperance.

By Mr. Sim:

The petition of Wm. W. Tilley and 278 others upon the same subject.

Which was referred to the Committee on Temperance.

By Mr. Burton;

The petition of A. Knoy and others, citizens of Hamilton Township, Sullivan county, Indiana, asking for a law requiring an applicant for license to sell intoxicating liquors, to first obtain the recommendation of one half of the legal voters of his township.

Which was referred to the Committee on Temperance.

By Mr. Prather:

The memorial of E. G. Bondurant, asking for the punishment, by the General Government, of leading spirits in the late rebellion.

Which was referred to the Committee on Federal Relations.

By Mr. Newcomb:

The petition of John W. Allen and 1055 others, asking for the enactment of a law punishing minors for buying liquor.

Which was referred to the Committee on Temperance.

REPORTS OF COMMITTEES.

Mr. Burnes, from the Committee on the Rights and Privileges of the Inhabitants of the State, made the following report:

Mr. Speaker:

The Committee on Rights and Privileges to whom was referred divers petitions of the citizens of this State, praying that colored persons be permitted to testify in the Courts of Justice, have considered the same, and a majority of said committee recommend that the prayers of the petitioners be granted.

Which report was laid on the table.

Mr. Pinney, from the Committee on Agriculture, made the following report:

Mr. Speaker:

The Committee on Agriculture, to whom was referred House Resolution "requesting said Committee to inquire into the propriety of enacting a law giving additional protection to the Agricultural and Horticultural interests of the State, by affixing appropriate penalties for trespasses committed, and damges done to fruit, &c., by lawless persons, and report by bill or otherwise," beg leave to report that they have had the same under consideration, and now report, that in their opinion the protection asked for in said resolution, was amply provided for by an act passed last session, approved Feb. 14, 1865, entitled "an act to amend sections number seventy-six of an act, entitled an act defining misdemeanors, and prescribing penalties therefor," approved June 14, 1852.

Which report was laid on the table.

Mr. Hamrick, from the Committee on Corporations, made the following report:

Mr. Speaker:

The Committee on Corporations, to whom was referred Senate bill No. 175, entitled, "an act to authorize the formation of companies for the detection of horse thieves, and other felons, and for mutual protection, and repealing all laws inconsistent therewith, have had the same under consideration and have directed me to report the same back to the House and recommend its passage.

Which report was laid on the table.

Mr. Hamrick, from the Committee on Corporations, made the following report:

Mr. Speaker:

The Committee on Corporations, to whom was referred House bill No. 95, entitled an act to enable railroads to make local alterations in their lines in certain cases, have had the same under consideration, and have directed me to report the same back to the House, with the amendments proposed by the Committee on Railroads, and upon the adoption of said amendments, they recommend its passage.

Which report was laid on the table.

Mr. Hamrick, from the Committee on Corporations, made the following report:

MR. SPEAKER:

The Committee on Corporations, to whom was referred Senate bill No. 185, entitled "act for the incorporation of hotel companies," have had the same under consideration, and have directed me to report the same back to the House and recommend its passage.

Which report was laid on the table.

Mr. Gleason, from the Committee on Engrossed Bills, made the following report:

MR. SPEAKER:

The Committee on Engrossed Bills, would respectfully report that they have carefully examined Engrossed House Bills Nos. 237, 239, 252, 263, 276, 238, 240, 234, 241, 253, 255, 270, and Engrossed Joint Resolution No. 20, and find the same correctly engrossed.

Which report was laid on the table.

Mr. Lasselle, from the Committee on Engrossed Bills, made the following report:

MR. SPEAKER:

The Committee on Engrossed Bills, to whom House bills Nos. 87, 206 and 223, were referred, have carefully compared the same with the original bills and have ascertained that they have in all respects been accurately and correctly engrossed.

Which report was laid on the table.

By Mr. Cowgill, from the Judiciary Committee:

MR. SPEAKER:

The Judiciary Committee, to whom was referred House bill No. 190, entitled a bill to amend section eight of an act regulating the fees of officers, and repealing former laws in relation thereto, approved March 2d, 1865.

Have had the same under consideration and have instructed me to report the same back, with the following amendments, and when so amended, to recommend its passage.

Strike out all after the words "be so amended to read as follows.

The County Auditor's fees shall be as follows, to-wit:

For all records, copies and other writings, for each one hundred words, (counting three figures as one word) as the same appear on the record or other writing, excepting the tax duplicate, ten cents.

Each 100 words as the same are written on the tax duplicate, (counting three figures for one word,) fifteen cents.

Filing each paper, including county orders, and excepting papers returned by the township assessors, five cents.

Tax certificates, twenty-five cents.

Each record of an agreement, twenty-five cents.

Each acknowledgement of a deed, to be paid by the person for whom the service is rendered, twenty-five cents.

Assignment of tax and school certificate, and recording the same, to be paid by the Assignor, twenty-five cents.

Administering an oath, five cents.

Each tax deed, to be paid by the person receiving such deed, one dollar.

Each special constable's bond, oath and registration of the same, to be paid by such constable, one dollar.

Each certificate and seal, to be paid by the person requesting the same, fifty cents.

Each mortgage to secure a loan to the School Fund, to be paid by mortgagor, fifty cents.

For each tract, or parcel of land sold for taxes, ten cents.

For writing any affidavit necessarily connected with the business of his office, and swearing the affiant thereto, twenty-five cents.

Each merchant or other license, fifty cents.

Registering receipt given by the Treasurer for money, five cents.

Each bond taken in the discharge of his official duties, thirty cents.

Each quietus for land redeemed, to be paid by the person redeeming, twenty cents.

Each quietus for treasurer's receipt, five cents.

Each writ, notice or process required to be under seal, fifty cents

Provided however, that in no case where it shall be necessary to use a seal for any purpose whatever, shall the same be paid for out of the County Treasury.

For each writ, notice or process, not under seal, twenty-five cents.

Each day engaged in the county Board of Equalization, two dollars.

He shall have no fees for issuing more than one county order, for the same allowance, made by the Board of Commissioners, nor for registering and filing the same, to be paid out of the County Treasury.

In trials before Boards of County Commissioners, the Auditor shall be entitled to the same fees as are allowed by Clerks of the Circuit Court for similar services, where no specific fee is fixed in this act, which shall be paid by the county or other person as the right of the case may be, as such Board or Court may order.

Provided, however, That no County Auditor shall receive more than three thousand dollars, in any one year, for his services as such, where the inhabitants of each county shall not exceed twenty-five thousand in number.

Amend the title as follows, to-wit:

After the words "an act" insert the words "entitled an act."
Which report was laid on the table.

Mr. Newcomb, from the Committee on the Judiciary, made the following report:

Mr. Speaker:

The Judiciary Committee to whom was referred House bill No. 226, entitled "an act requiring all property hereafter sold by virtue of any order of Court or in pursuance of any process of law, to be sold without appraisement, and repealing all laws inconsistent therewith,"

respectfully report that they have had the same under consideration, and in their opinion legislation on the subject being expedient, the Committee recommend that said bill be laid on the table.

Which report was laid on the table.

Mr. Thatcher, from the Committee on Fees and Salaries, made the following minority report:

MR. SPEAKER:

The minority of the Committee on Fees and Salaries to whom was referred House bill No. 246, an act to amend section ten of an act entitled an act regulating the fees of officers, and repealing former acts in relation thereto, have had the same under consideration and recommend its passage.

Which report was laid on the table.

By Mr. Lasselle, from the Select Committee on House Bill 251.

MR. SPEAKER:

The Select Committee, to whom was referred House bill No. 251, entitled "a bill to provide for taking the enumeration of all the white male inhabitants in the State, over the age of 21 years, and prescribing a penalty for the neglect of certain officers, in relation thereto," have had the same under consideration, and instructed me to report the following amendment, to-wit:

After the word "States," in the second line of the 1st section, insert the words "while listing his township in the year 1866." After the word "proceed," in the third line of the same section, strike out the words following the same to the words, "sixty-six," inclusive. After the word "on," in the ninth line of the same section, insert the words, "the first day of January proceeding" and strike out the succeeding words, "such day." In the second line of the second section strike out the word "February" and insert in the place thereof the word "June." In the third line of the third section strike out the word "March" and insert in the place thereof the word "July." Strike out the whole of section six and insert in the place thereof, the following:

SEC. 6. Such assessor shall receive for service herein required, the same compensation now allowed by law for listing his township;

and such county auditor shall receive such compensation as may be allowed by the Board of Commissioners of his county." After the word "thereof," in the fourth line of the eighth section, insert the words, "to be fixed by the next General Assembly," and that when so amended they recommend its passage.

Which was concurred in and the report laid on the table.

By Mr. Caldwell, from the Committee on Senate Bill No. 227.

MR. SPEAKER:

The Select Committee, to whom was referred Senate bill No. 227, entitled "a bill for the relief of Isaac D. Armstrong, Treasurer of the county of Clinton, in the State of Indiana," have had the same under consideration, and have directed me to report the same back to the House, and recommend its passage.

Which report was laid on the table.

By Mr. Lasselle, from the Select Committee on House bill No. 157.

MR. SPEAKER:

The Select Committee, to whom was referred House bill No. 157, entitled "a bill to amend section twenty-one of an act entitled 'an act regulating descents, and the apportionment of estates,'" approved May 14, 1852, have had the same under consideration, and have instructed me to report the same back to the House, and recommend its passage.

Which was laid on the table.

By Mr. Woods, from the Committee on House Bill No. 281.

MR. SPEAKER:

The Special Committee, to whom was referred House bill No. 281, have had the same under consideration, and have directed me to report the bill back to the House with a recommendation that it do pass.

Which report was laid on the table.

By Mr. Coffroth:

House bill No. 305. A bill creating the ——— Judicial Circuit, and designating what counties shall constitute the Seventh and Thirteenth Judicial Circuits and fixing the time of holding Courts in each of said Circuits.

Which was read a first time, and,

On motion,

Was referred to a Special Committee of five, composed of members affected thereby, with Mr. Kilgore as Chairman.

By Mr. Henricks:

House bill No. 306. A bill to regulate and license the sale of spirituous, vinous, malt and other intoxicating liquors, to prohibit the adulteration of liquors, to repeal all laws contravening the provisions of this act, and prescribing penalties for the violation thereof, approved March 5, 1859, and prescribing penalties in case of a second or subsequent conviction.

Which was read a first time, and,

On motion by Mr. Henricks,

The bill was referred to the Committee on Temperance, and 200 copies ordered to be printed.

By Mr. Griffith:

House bill No. 307. A bill to amend section twelve of an act entitled "an act to provide for a general system of common schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and prescribing the fees of certain officers therein named, and for the establishment and regulation of Township Libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed."

Which was read a first time, and passed to a second reading.

By Mr. Buskirk:

House bill No. 308. A bill to create the ——— Judicial Circuit and to fix the time of holding the Courts therein.

Which was read a first time and referred to a Special Committee of five.

Mr. Newcomb moved to suspend the order of business, and take up House bill No. 270.

Which was agreed to.

House bill No. 270. A bill fixing the *per diem* and mileage of members of the General Assembly, Secretaries, Clerks, Doorkeepers and other employees thereof.

Was read a third time.

The question being shall the bill pass?

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Bird, Bonner, Boyd, Branham, Brown, Burnes, Burton, Buskirk, Caldwell, Church, Coffroth, Cook, Cowgill, Cox, Croan, Crook, Davidson, Ferris, Foulke, Glazebrook, Gleason, Goodman, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, Humphreys, Johnson, Kilgore, Lane, Litson, Lopp, Major, Miller, Milroy, Montgomery, McVey, Newcomb, Olleman, Osborn, Patterson, Perigo, Prather, Reese, Rhoads, Rice, Riford, Roach, Sabin, Shoaff of Jay, Shuey, Sim, Spencer, Stuart, Stringer, Stuckey, Sullivan of Vanderburgh and Posey, Thatcher, Veach, Weikel, White, Woodruff, Wright, Woods, Zeigler and Mr. Speaker—79.

Those who voted in the negative were,

Messrs. Collins, Lemon and Richardson—3.

The question being shall the title as read, stand as the title of said bill.

It was so ordered.

So the bill passed.

Ordered, That the clerk inform the Senate thereof.

Mr. Henricks gave notice that he would offer the following amendment to the rules of the House:

Insert between rules 58 and 59, the following rule:

When a bill or joint resolution, shall have been referred to a com-

mittee on its first reading, and returned to the House by such committee, with report thereon, such report shall be acted upon by the House at once, and if so ordered by the House, the bill shall then be read a second time, and be disposed of as may be ordered by the House, according to the rules thereof.

Which lays over under the rule.

By Mr. Lasselle:

House bill No. 309. A bill authorizing Boards of County Commissioners to make appropriations in aid of the location or construction of manufacturing establishments or machine shops.

Which was read a first time, and referred to the Committee on County and Township Business.

By Mr. Kilgore:

House Bill No. 310. A bill defining the crime of embezzlement, and prescribing the punishment therefor.

Which was read a first time, and referred to the Committee on the Judiciary.

By Mr. Shuey:

Joint Resolution No. 23. A joint resolution to amend the 11th section of the 4th article of the Constitution, so as to constitute a majority of the members elected to each House of the General Assembly, a quorum to do business.

Which was read a first time, and referred to the Committee on the Judiciary.

By Mr. Miller:

House bill No. 311. A bill explanatory of the second section of an act entitled "an act to legalize the issuing of bonds, and making appropriations, and the levy and assessment of taxes in certain cases, and making it unlawful, after the quota of the State under the present call is filled, for Boards of County Commissioners, or municipal authorities of incorporated towns and cities, to pay any money out of their treasuries, or the issue of any bonds, orders, or other evidences of indebtedness, to give bounties to volunteers, drafted men or sub-

stitutes," approved March 3, 1865, and legalizing the act of the Boards of Commissioners and municipal authorities.

Which was read a first time, and passed to a second reading.

By Mr. Kilgore:

House bill No. 312. A bill to amend section 1 of an act entitled "an act to amend section 9 of an act entitled 'an act to amend section 2 of an act concerning the organization of voluntary associations, and repealing former laws in reference thereto,'" approved Feb. 12, 1855; approved March 9, 1851; approved Feb. 10, 1863.

Which was read a first time, and referred to the Committee on Corporations.

Mr. Newcomb moved that House Bill No. 25, be made the special order for the day for to-morrow evening, at 7 o'clock.

Which was agreed to.

SPECIAL ORDERS FOR THE DAY.

The hour having arrived for the special order of the day, House bill No. 218, was taken up.

The question being on the motion heretofore made by Mr. Rhoads, to reconsider the vote whereby the House refused to adopt the amendments offered by Mr. Newcomb, to said bill,

Mr. Brown moved to lay the motion to reconsider on the table.

Which was not agreed to.

The question being on the motion to reconsider,

It was not agreed to.

Mr. Henricks moved that said bill be recommitted to the Committee on Temperance, with the following instructions:

Amend so as to provide for granting two classes of licenses. One to authorize the selling of all intoxicating liquors, and fixing the fee for such license at $200, the other only authorizing the selling of malt and vinous liquors, and fixing the fee at $50 for such license.

And further amend so that the inhabitants of any township, or ward of an incorporated city, may remonstrate against the granting of a license to any person on account of bad character, or any unfit

ness of such applicant to have or be trusted with any such license, and provide also that the inhabitants of any township, or ward of an incorporated city, may remonstrate against the granting of a license to any applicant for any license to sell all intoxicating liquors, for any cause such inhabitants may deem proper, and provide that in case a majority of all the legal voters of any township, or ward of an incorporated city, shall have signed such remonstrance, no license shall be granted to him to sell all intoxicating liquors, for one year thereafter. And to provide that any person having a license to sell malt and vinous liquors only, who shall sell or give away any liquor not authorized by his license. or shall sell or give away any malt or vinous liquors with which any other liquor which he is not, by his license, authorized to sell, shall have been mixed, on conviction thereof shall forfeit his license, and shall not be again licensed for twelve months thereafter.

And also amend so as to make penalties in the act amended by the act under consideration where they now read "not less than five," so as to read "not less than ten" dollars, and to provide for penalties for the violation of section 8 of said act.

And further amend so as to provide a penalty of not less than five nor more than twenty-five dollars, against any person being over the age of 17, and under 21 years, who shall falsely represent his age to any retailer of liquors, and thereby induce said retailer to sell him liquor contrary to law.

And to make such further or other amendments as may be necessary, in the judgment of said committee, to carry out these instructions.

Mr. Buskirk moved the previous question.
Which was seconded by the House.

The question being, shall the main question be now put?

It was so ordered.

The question being on the motion to recommit with instructions,

Messrs. Buskirk and Griffith demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Bonner, Boyd, Branham, Caldwell, Church, Cowgill, Cox, Davidson, Ferris, Foulke, Gleason, Goodman, Groves, Hamrick,

Henricks, Hershey, Higgins, Hoover, Kilgore, Lane, Major Miller, McVey, Newcomb, Olleman, Rhoads, Rice, Riford, Roach, Sabin, Shoaff of Jay, Sim, Stewart, Stringer, Sullivan of Posey, Woodruff, Woods and Mr. Speaker—38.

Those who voted in the negative were,

Messrs. Abbett, Atkinson, Bird, Brown, Burnes, Burton, Burwell, Buskirk, Chambers, Coffroth, Collins, Cook, Croan, Crook, Glazebrook, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Hargrove, Harrison, Hogate, Howard, Humphreys, Johnson, Lemon, Litson, Lopp, Meredith, Milroy, Montgomery, Osborn, Patterson, Perigo, Prather, Reese, Richardson, Shuey, Spencer, Stuckey, Thatcher, Veach, Weikel, Welch, White, Wright and Zeigler—47.

So the question did not prevail.

The question being, shall the bill be read a third time?

Mr. Kilgere moved to lay said bill on the table.

Messrs. Kilgore and Osborn demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Boyd, Church, Cook, Cowgill, Cox, Crook, Foulke, Gleason, Goodman, Groves, Hargrove, Harrison, Henricks, Higgins, Kilgore, Litson, McVey, Newcomb, Osborn, Prather, Rhoads, Rice, Riford, Sim, Woods and Mr. Speaker—27.

Those who voted in the negative were:

Messrs. Abbett, Atkinson, Bird, Bonner, Branham, Brown, Burnes, Burton, Burwell, Buskirk, Caldwell, Chambers, Coffroth, Collins, Croan, Davidson, Ferris, Glazebrook, Gregory of Montgomery, Gregory of Warren, Griffith, Hamrick, Hershey, Hogate, Hoover, Humphrey, Johnson, Lane, Lemon, Lopp, Major, Meredith, Milroy, Montgomery, Olleman, Patterson, Perigo, Reese, Richardson, Roach, Sabin, Shoaff of Jay, Shuey, Spencer, Stewart, Stringer, Stuckey, Sullivan of Posey and Vanderburg, Thatcher, Veach, Weikel, Welch, White, Woodruff, Wright and Zeigler—56.

So the House refused to lay the bill on the table.

The question being, shall the bill be read a third time?

Mr. Buskirk moved the previous question.
Which was seconded by the House.

The question being, shall the main question be now put?

It was so ordered.

House bill No. 218, was then read a third time.

Mr. Boyed asked to be excused from voting.
Which request was not granted.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Bonner, Branham, Burnes, Caldwell, Chambers, Cox, Crook, Davidson, Ferris, Gregory of Montgomery, Griffith, Hamrick, Hershey, Hogate, Hoover, Johnson, Lane, Major, Miller, Montgomery, Reese, Rhoads, Sabin, Shuey, Stewart, Stringer, Stuckey, Sullivan of Posey and Vanderburg, Welch, Woodruff, Wright and Zeigler—34.

Those who voted in the negative were,

Messrs. Bird, Boyd, Brown, Burton, Burwell, Buskirk, Church, Coffroth, Collins, Cook, Cowgill, Croan, Foulke, Glazebrook, Gleason, Goodman, Gregg, Gregory of Warren, Groves, Hargrove, Harrison, Henricks, Higgins, Howard, Humphreys, Kilgore, Lasselle, Lemon, Litson, Lopp, Meredith, Milroy, McVey, Newcomb, Olleman, Osborn, Patterson, Perigo, Prather, Rice, Richardson, Riford, Roach, Shoaff of Jay, Sim, Spencer, Thatcher, Veach, Weikel, White, Woods and Mr. Speaker—52.

So the bill was lost.

On motion,
The House adjourned.

2 O'CLOCK P. M.

The House met.

The Speaker ordered a call of the House, when the following members answered to their names:

Messrs. Atkinson, Bird, Bonner, Branham, Burnes, Buskirk, Caldwell, Church, Collins, Cowgill, Cox, Croan, Crook, Davidson, Ferris, Glazebrook, Gleason, Gregg, Gregory of Montgomery, Griffith, Groves, Hamrick, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Humphreys, Johnson, Kilgore, Lane, Lasselle, Lee, Lemon, Litson, Lopp, Major, Miller, Milroy, Montgomery, Newcomb, Olleman, Osborn, Patterson, Perigo, Reese, Richardson, Riford, Roach, Sabin, Shoaff of Jay, Shuey, Sim, Stringer, Sullivan, of Scott, Sullivan of P. & V., Trusler, Veach, Weikel, White, Woodruff, Wright, Zeigler and Mr. Speaker—67.

There being a quorum present, a further call of the House was dispensed with.

A message from the Senate, by Mr. Wilson, their Secretary.

MR. SPEAKER:

I am directed by the President of the Senate to inform the House of Representatives, that he has appointed, agreeably to the third joint rule of the General Assembly, the following Joint Committee on Enrolled Bills, on the part of the Senate:

Senators Richmond, Mason and Cullen.

The Speaker announced the following Committee on House bill No. 305:

Messrs. Kilgore, Shoaff of Jay, Coffroth, Reese and Montgomery.

Mr. Buskirk offered the following Resolution:

Resolved, That the Auditor of State be, and he is hereby requested, to communicate to this House, at the earliest practicable day a statement, showing the entire cost of constructing and operating the

Northern State Prison, separating the cost of constructing and operating the same.

Which was concurred in.

Leave of absence was granted to Mr. Pinney.

THE SPECIAL ORDERS OF THE DAY.

The hour having arrived for the special order of the day,

House bill No. 285. A bill to provide a State debt Sinking Fund, for the payment of the principal and interest of the war loan bonds, and five, and two and one half per cent. stocks of the State therein named; prescribing the duties of the Auditor, Treasurer, and Agent of State, in relation thereto; providing for a clerk of said Sinking Fund, and fixing his salary, and providing a penalty for the violation of its provisions, and declaring an emergency for the immediate taking effect of the same.

Was taken up, and read a second time.

Mr. Branham moved to commit the bill to a committee of the whole House.

Which was agreed to.

Mr. Branham then moved that the House resolve itself into a Committee of the Whole, for the consideration of said House bill No. 285.

Which was agreed to.

Mr. Henricks was then called to the Chair.

After remaining in session for some time, the committee rose, and made the following report through the Chairman.

MR. SPEAKER:

The Committee of the Whole House have, according to order, had under consideration House bill No. 285, and have made some progress therein, and ask leave to sit again at 10 o'clock to-morrow morning.

Which was concurred in.

A message from the Senate by Mr. Wilson, their Secretary.

MR. SPEAKER:

I am directed by the President of the Senate to inform the House of Representatives, that the Senate has passed the following engrossed bill thereof:

Engrossed bill No. 284, entitled "an act to prevent unauthorized printing at the expense of the State."

In which the concurrence of the House of Representatives is respectfully asked.

Leave of absence was granted to Mr. Johnson, on account of sickness in his family.

On motion by Mr. Spencer,
The House adjourned.

WEDNESDAY MORNING, 9 o'CLOCK,
December 6, 1865.

The House met pursuant to adjournment.

The Speaker ordered a call of the House, when the following members answered to their names:

Messrs. Atkinson, Bonner, Boyd, Branham, Brown, Burnes, Burwell, Caldwell, Chambers, Church, Cook, Cowgill, Cox, Croan, Crook, Davidson, Dunham, Ferris, Foulke, Glazebrook, Gleason, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Hargrove, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, Humphreys, Hunt, Lane, Lasselle, Lee, Lemon, Lockhart, Major, Meredith, Miller, Montgomery, McVey, Newcomb, Olleman, Patterson, Perigo, Prather, Reese, Rice, Richardson, Riford, Roach, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Stewart, Stringer, Stuckey, Sullivan of Scott, Thatcher, Trusler, Veach, Weikel, Welch, White, Woodruff, Wright, Woods and Mr. Speaker—74.

There being a quorum present, a further call was dispensed with,

The Clerk proceeded to read the Journal of yesterday, when,

On motion by Mr. Burnes,

The further reading was dispensed with.

Mr. Abbett moved, tnat as a number of members came in since the call of the roll, it be again called.

Which was agreed to, when the following members answered to their names:

Messrs. Abbett, Bird, Goodman, Harrison, Kilgore, Rhoads and Sabin—81.

PETITIONS, MEMORIALS AND REMONSTRANCES.

By Mr. Branham:

A petition from F. D. Bland and others, from the First Baptist Church in the city of Madison, on the subject of Temperance.

Which, on motion, was referred to the Committee on Temperance.

By Mr. Stringer:

A petition from one thousand and thirty-four citizens of Boone county, on the subject of Temperance.

Which, on motion, was referred to the Committee on Temperance.

By Mr. Rice:

A memorial from S. F. Maxwell, W. W. Nye and others, citizens of Parke county, asking for the location of the Agricultural College at Bloomington.

Which on motion, was referred to a Select Committee.

By Mr. Abbett:

A petition from the citizens of Bartholomew county on the subject of temperance.

Which on motion, was referred to the Committee on Temperance.

By Mr. Stringer:

A memorial from the Commissioners of Boone county, asking a

modification of the law for the relief of the "families of soldiers," &c., approved March 4, 1865.

Which on motion, was referred to the Committee on Ways and Means.

REPORTS OF COMMITTEES.

Mr. Newcomb, from the Committe on the Judiciary, made the following report:

MR. SPEAKER:

The Judiciary Committee to whom was referred Senate Bill No. 233, entitled "an act to enable any child heretofore adopted, or which may be hereafter adopted by any person under the laws of any State of the United States, to take, and hold real estate in this State as if the child had been adopted under the laws and within the State of Indiana," respectfully report that they have had said bill under consideration and recommend its passage.

Which report was laid on the table.

By Mr. Newcomb, from the Committee on the Judiciary.

MR. SPEAKER:

The Judiciary Committee, to whom was referred Senate Bill No. 231, entitled "a bill to legalize and render valid and effectual all the orders, judgments and other proceedings, made, rendered and had, by and before the Common Pleas Court of Clinton county, in this State, held in the Court House of said county, in the months of October and November, in the year one thousand eight hundred and sixty-five, and then and there by and before the several judges of said Court," respectfully report that they have had said bill under consideration and recommend its passage.

Which report was laid on the table.

By Mr. Newcomb, from the Judiciary Committee:

MR. SPEAKER:

The Judiciary Committee, to whom was referred House bill No. 264, entitled "a bill to amend the fourth and repeal the seventh clause of an act entitled an act regulating the granting of divorces, nullification of marriages, and decrees and orders of Court incident

thereto," approved May 13th, 1852, respectfully report that they have had the same under consideration and recommend the following amendments:

Strike out all of the first section after the enacting clause, and insert: "That the seventh clause of the seventh section of an act entitled 'an act regulating the granting of divorces, nullification of marriages, and decrees and orders of court incident thereto,'" approved May 13th, 1852, be and the same is hereby repealed.

And further amend by striking out section two.

And further amend by striking out all the title after the words "an act to," and insert "to repeal the seventh clause of the seventh section of an act entitled an act regulating the granting of divorces, nullification of marriages, and decrees and orders of Court incident thereto," approved May 13th, 1852, and upon the adoption of said amendments the Committee recommend the passage of the bill.

Which report was laid on the table.

By Mr. Newcomb, from the Committee on the Judiciary:

MR. SPEAKER:

The Judiciary Committee to whom was referred House bill No. 299, entitled "a bill to legalize the official acts of certain officers therein named, and the acts of their deputies, as such, while the principals were performing military service in the army of the United States," respectfully report that they have had said bill under consideration and recommend its passage.

Which report was laid on the table.

Mr. Newcomb, from the Committee on the Judiciary:

MR. SPEAKER:

The Judiciary Committee to whom was referred Senate bill No. 106, entitled "a bill to amend sections 119 of an act entitled "an act to revise, simpify and abridge the rules, practice, pleadings and forms in criminal actions in the Courts of this State," approved June 17, 1852, so far as to strike out so much thereof as requires the appellee to pay the cost of the appeal when the decision of the Court

)elow is decided to be erroneous," respectfully report that they have ıad said bill under consideration and recommend its passage.

Which report was laid on the table.

By Mr. Newcomb, from the Committee on the Judiciary:

ıR. SPEAKER:

The Judiciary Committee to whom was referred House bill No. 4, respectfully report that they have had said bill under considera-ion, and recommend that it be indefinitely postponed.

Which was concurred in and the bill was indefinitely postponed.

Mr. Groves from the Committee on State Prison South, made the ollowing report:

ıR. SPEAKER:

The Committee on the State Prison South, to whom was referred Iouse bill No. 262, have had the same under consideration and have nstructed me to report the same back to the House and recommend ts passage without amendment.

Which report was laid upon the table.

Mr. Atkinson from the Committee on County and Township Busi-ıess, made the following report:

ıR. SPEAKER:

The Committee on County and Township Business, to whom was eferred House bill No. 309, entitled "a bill authorizing Boards of County Commissioners to make appropriations in aid of the location r construction of manufacturing establishments or machine shops, ıave instructed me to propose the following amendment to ame, to-wit:

Insert after the word "may" at the end of the 5th line of section irst, the words "upon the petition of one fourth of such legal voters," and when so amended they may recommended its passage.

Which report was laid upon the table.

Mr. Hamrick from the Committee on Corporations made the fol-owing report:

ıR. SPEAKER:

The Committee on Corporations to whom was referred House bill

No. 256, entitled "bill for the incorporation of Hydraulic companie and defining their duties and powers, have had the same under con sideration and have directed me to report the same back to the Hous and recommend its passage.

Which report was laid upon the table.

Mr. Burnes, from the committee on Engrossed bills, made the fol lowing report.

MR. SPEAKER:

The committee on Engrossed Bills to whom was referred engrosse House bill No. 211, have carefully compared the same with th original bill and find that it is correctly and accurately engrossed.

Which was laid on the table.

Mr. Wright from the Committee on Engrossed bills, made the fol lowing report:

MR. SPEAKER:

The Committee on Engrossed Bills, have carefully compared en grossed House bills Nos. 164, 254 and 271, with the original bill and have ascertained that they have, in all respects, been accuratel and correctly engrossed.

Which report was laid on the table.

Mr. Burwell from a special committee made the following report

MR. SPEAKER:

The special committe to whom was referred Senate bill No. 26 entitled "an act fixing the times of the terms of the Wells Circu court, &c., have considered the same and would respectfully repor the same back and recommend its passage.

Which report was laid on the table.

Mr. Buskirk offered the following resolution:

WHEREAS, The committee of one from each congressional distri to whom was referred the subject of the Agricultural college, doul whether they possess the power to act upon the question of loca tion thereof: therefore,

Resolved, That the said committee be directed to investigate an report to this House, at an early day, a bill locating said Agricu

ural college at some point in the State, and that all bills introduced pon that subject be referred to the said committee.

Which was agreed to.

Mr. Gregory of Warren, moved that all bills or propositions on hat subject be referred to the same committee.

Which was agreed to.

Mr. Groves offered the following resolution :

Resolved, That the Committee on the rights and privileges of the nhabitants of the State, enquire into the expediency of so amending he dog law, as to allow each family to keep and own one dog free of ll taxes and that they report by bill or otherwise.

Mr. Burwell moved to amend as follows :

Amend so as to provide that the dog so exempted shall not be sheep killing dog.

The resolution and amendment were, on motion, laid upon the able.

Mr. Lopp offered the following resolution :

Resolved, That the Committee on the Judiciary be instructed to nquire into the propriety of passing a law protecting land holders long the Ohio river against persons fishing in said river in front of heir land, and report by bill or otherwise.

The resolution was, on motion by Mr. Groves, laid upon the table.

Mr. Ferris offered the following resolution :

Resolved, That during the remainder of the present session of the General Assembly, no member of this House shall have leave of bsence unless in case of sickness of himself or family.

Mr. Olleman moved to lay the resolution on the table.

Messrs. Olleman and Burwell demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Abbett, Bird, Boyd, Branham, Burnes, Burton, Burwell, Caldwell, Chambers, Church, Cook, Cowgill, Croan, Dunham, Foulke, Glazebrook, Gregory of Montgomery, Harrison, Higgins, Hogate,

Howard, Kilgore, Lee, Lemon, Litson, Lockhart, Lopp, Major, Olle man, Patterson, Reese, Rice, Roach, Shoaff of Allen, Shoaff of Jay Spencer, Stewart, Stuckey, Thatcher, Veach, White and Woodruf —42.

Those who voted in the negative were,

Messrs. Atkinson, Bonner, Buskirk, Coffroth, Cox, Crook, David son, Ferris, Gleason, Goodman, Gregory of Warren, Griffith, Groves Hamrick, Hargrove, Henricks, Hershey, Hoover, Humphreys, Hunt Lane, Lasselle, Miller, Montgomery, McVey, Newcomb, Osborn Perigo, Prather, Rhoads, Richardson, Riford, Sabin, Shuey, Sim Stringer, Sullivan of Scott, Trusler, Upson, Weikel, Welch, Wright Woods, Zeigler and Mr. Speaker—46.

So the motion did not prevail.

The question being on agreeing to the resolution,

It was adopted.

Mr. Foulke offered the following resolution:

WHEREAS, on the 18th day of February, 1863, the House Committee on the affairs of the State Prison North, made a report, in which they recommended that an appropriation be made to H. M. Acknoyd, for the sum of one hundred and fifty dollars ($150) for services rendered by him as architect, in measuring work done on the Northern Prison (House Journal, 1863, page 500), which said report was, on the 20th of February, referred to the Committee on Ways and Means (House Journal, 1863, page 559), but owing to the subsequent disorganization of the House, no action was afterward taken therein, and,

WHEREAS, The said Acknoyd has since assigned and transferred his said claim to one John Jackson, and the same still remains unpaid and no appropriation has been made, therefore,

Resolved, That an appropriation be made to the said John Jackson for the said sum of one hundred and fifty dollars, with interest thereon from said 18th of February, 1863.

Which was referred to the Committee on Claims.

Mr. Collins obtained leave of absence until Monday next, on account of sickness in his family.

Mr. Newcomb moved to make House bills No. 277, 278, 279 and 280, the special order for Friday, December the 8th, 1865, at 10 o'clock, A. M.

Which was agreed to.

SPECIAL ORDERS FOR THE DAY.

The hour having arrived for the consideration of House bill No. 285.

On motion by Mr. Newcomb,

The House resolved itself into a Committee of the Whole House, with Mr. Henricks in the Chair.

After remaining in session some time, the committee rose, and make the following report, through the Chairman:

MR. SPEAKER:

The Committee of the Whole House, to whom was referred House bill No. 285, have had the same under consideration, and adopted the following amendments thereto, and after so amended, they recommend the passage of said bill.

Amend the first section by inserting immediately after the word works," in the 22d line, the following: "and together with all the money in the State Treasury, belonging to the State Debt Sinking Fund, and all money due the same from the general fund, and the revenue derived by the laws now in force, providing for a State Debt Sinking Fund," shall be denominated, &c.

Amend the fifth section by inserting immediately after the word shall," in the fifth line, the following: "endorse on the back of said certificate or certificates, the amount paid thereon, and the balance unpaid, and" immediately forward, &c.

Amend section 9, by inserting in the 1st line thereof, after the word "Debt," the words "Sinking Fund," and by adding to said section, "in addition to his present salary."

The report was concurred in, and the committee discharged.

The first amendment was read, and Mr. Buskirk moved to amend as follows:

Amend section first by striking out all that relates to the War Loan Bonds.

Messrs. Buskirk and Shoaff of Jay, demanded the ayes and noes.

Those who voted in the affirmative were

Messrs. Bird, Brown, Burton, Buskirk, Coffroth, Croan, Glazebrook, Hargrove, Harrison, Howard, Humphreys, Hunt, Lee, Lemon, Lopp, Osborn, Patterson, Perigo, Richardson, Roach, Shoaff of Allen, Shoaff of Jay, Spencer, Stuckey, Sullivan of Scott, Thatcher, Veach, Weikel and White—29.

Those who voted in the negative were,

Messrs. Atkinson, Bonner, Boyd, Branham, Burnes, Caldwell, Chambers, Church, Cook, Cowgill, Cox, Crook, Davidson, Dunham, Ferris, Foulke, Gleason, Goodman, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Henricks, Hershey, Higgins, Hogate, Hoover, Kilgore, Lane, Litson, Lockhart, Major, Meredith, Miller, Montgomery, McVey, Newcomb, Olleman, Prather, Reese, Rhoads, Rice, Riford, Sabin, Shuey, Sim, Stewart, Stringer, Sullivan of P. & V., Trusler, Upson, Welch, Woodruff, Wright, Woods, Zeigler and Mr. Speaker—58.

So the amendment offered by Mr. Buskirk was not agreed to.

The question being on the amendment as reported by the Committee of the Whole.

It was agreed to.

The second amendment of the Committee was read.

And agreed to.

The third amendment of the Committee was read.

And was agreed to.

Mr. Branham moved that said bill be ordered to be engrossed, and made the special order for Friday next, at 10 o'clock, A. M.

On motion by Mr. Griffith,

The House adjourned.

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2 O'CLOCK P. M.

The House met.

Mr. Henricks in the Chair.

SPECIAL ORDER FOR THE DAY.

The hour having arrived,

House bill No. 301. A bill to provide for and regulate the issuing and granting of licenses to locomotive engineers within the State of Indiana, and prescribing penalties for the violation of the provisions thereof.

Was taken up and read a second time.

Mr. Brown moved to amend section 12 by inserting after the word "occur," in the third line, the following words: "or in the Circuit Court or Court of Common Pleas of any county in this State through which the railroad passes, or is situated upon, or for which the person or persons violating this act was employed or engaged."

Which was agreed to.

Mr. Brown moved to amend as follows:

In line 6 of section 7 strike out the word "article" and insert the word "act." In line 3 of section 8 strike out "20" and insert "10."

Which was agreed to.

Mr. Branham moved to amend section 5 by inserting after the word "year," in the ninth line, "but no person shall be licensed who becomes intoxicated by the use of intoxicating liquors."

Which was agreed to.

Mr. Brown moved that said bill be considered as engrossed.

Which was agreed to.

Mr. Buskirk moved that it be deemed expedient to suspend the constitutional rule, requiring bills to be read on three several days, and read said bill a third time now.

The ayes and noes were taken under the Constitution.

Those who voted in the affirmative were,

Messrs. Atkinson, Bird, Bonner, Boyd, Branham, Brown, Burnes, Burwell, Buskirk, Caldwell, Chambers, Church, Coffroth, Cook, Cowgill, Cox, Croan, Crook, Davidson, Dunham, Ferris, Foulke, Glazebrook, Goodman, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, Humphreys, Hunt, Kilgore, Lane, Lemon, Litson, Lockhart, Lopp, Major, Milroy, Montgomery, McVey, Osborn, Patterson, Perigo, Prather, Reese, Rhoads, Rice, Richards, Richardson, Riford, Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Sim, Stewart, Stuckey, Sullivan of Scott, Sullivan of P. and V., Thatcher, Trusler, Veach, Weikel, Welch, White, Woodruff, Wright, Woods, Zeigler and Mr. Speaker—78.

Those who voted in the negative were,

Messrs. Miller, Stringer and Upson—3.

So it was deemed expedient to suspend said Constitutional rule and said House bill No 301 was read a third time.

Mr. Coffroth moved to postpone the further consideration, and make it the special order for the day, on Friday next at 2 o'clock P. M.

Which was agreed to.

Mr. Thatcher offered the following resolution:

WHEREAS, The President of the United States has set apart Thursday, the 7th day of December, to be observed in all places of religious worship, as a day of National Thanksgiving for the great mercies of God, to our nation during the year now closing; therefore,

Resolved, That when the House adjourn to-day, that it adjourn till Friday next, at 9 o'clock, A. M.

Which was adopted.

Mr. Buskirk moved that the vacancy on the Committee on Agricultural college 11th District, occasioned by the absence of Mr. Collins, be filled by some other member from said district.

Which was agreed to.

And Mr. Burwell was appointed to fill the vacancy.

Mr. Higgins, by unanimous consent presented a memorial of Milton Mercer and others, holders of near one-half million of Indiana two and one-half per cent Stocks, urging that the Legislature take such action as will lead to the speedy adjustment of such debt on the part of the State.

Which was read and laid on the table.

On motion by Mr. Branham,

House bill No. 285, was taken up and ordered to be engrossed.

Mr. Branham moved that said bill be made the special order for the day for Friday morning next, at 10 o'clock, and continued until disposed of.

Which was agreed to.

Mr. Shuey moved to take up House bill No. 239.

Which was agreed to.

House bill No. 239. A bill to authorize manufacturing companies to erect a dam across the St. Joseph River in Elkhart county.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Abbett, Bird, Bonner, Boyd, Branham, Brown, Burton, Burwell, Buskirk, Chambers, Church, Coffroth, Cook, Cox, Croan, Crook, Davidson, Dunham, Ferris, Foulke, Glazebrook, Gleason, Goodman, Gregory of Montgomery, Gregory of Warren, Groves, Hamrick, Hargrove, Harrison, Henricks, Hershey, Hogate, Hoover, Howard, Humphreys, Hunt, Kilgore, Lane, Lasselle, Lee, Lockhart, Lopp, Major, Meredith, Miller, Milroy, Montgomery, McVey, Newcomb, Olleman, Osborn, Patterson, Perigo, Rhoads, Rice, Richards, Richardson, Riford, Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Stuart, Stuckey, Sullivan of P. & V., Thatcher, Trusler, Upson, Veach, Weikel, Welch, Woodruff, Wright, Woods and Mr. Speaker—77.

Those who voted in the negative were,

Messrs. Atkinson, Lemon, Litson, Prather, Reese, Stringer, Sullivan of Scott, White and Zeigler—9.

The question being, shall the title as read, stand as the title of said bill?

It was so ordered.
So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

On motion, by Mr. Newcomb:

House bill No. 25. A bill to repeal an act entitled "an act to prohibit the evidence of Indians and persons having one eighth or more of negro blood, in all cases where white persons are parties in interest," approved Feb. 14, 1852, and so much of any other laws as render persons incompetent as witnesses on account of their color.

Was taken up and read a third time.

Mr. Buskirk moved to recommit the bill to the Judiciary Committee, with instructions to add to the end of section 2d the following proviso:

Provided, That the privileges granted by this act shall not extend to embrace or be enjoyed by any negro or mulatto, who has come into this State since the adoption of the present Constitution.

Mr. Sim moved the previous question.
Which was seconded by the House.

The question being, shall the main question be now put?
It was so ordered.

The question being on recommitting.
Messrs. Coffroth and Buskirk, demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Boyd, Brown, Burton, Buskirk, Coffroth, Croan, Davidson Dunham, Gregg, Hargrove, Harrison, Howard, Richards, Richardson, Shoaff of Jay, Stuckey, Sullivan of Scott and Veach—19.

Those who voted in the negative were,

Messrs. Abbett, Atkinson, Bonner, Branham, Burnes, Burwell, Caldwell, Chambers, Church, Cook, Cowgill, Cox, Crook, Ferris, Foulke, Glazebrook, Gleason, Goodman, Gregory, of Montgomery, Gregory of Warren, Griffith, Hamrick, Henricks, Hershey, Higgins, Hogate, Hoover, Humphreys, Hunt, Kilgore, Lane, Lee, Lemon, Litson, Lockhart, Lopp, Major, Meredith, Miller, Milroy, Montgomery, McVey, Newcomb, Olleman, Osborn, Patterson, Perigo, Prather, Reese, Rhoads, Rice, Riford, Roach, Sabin, Shoaff of Allen, Shuey, Sim, Stewart, Stringer, Sullivan of P. & V., Trusler, Upson, Weikel, Welch, White, Woodruff, Wright, Woods, Zeigler and Mr. Speaker —70.

So the motion to recomit did not prevail.

The question being, shall said bill pass?

Those who voted in the affirmative were,

Messrs. Atkinson, Bonner, Branham, Burnes, Caldwell, Chambers, Church, Cook, Cowgill, Cox, Crook, Davidson, Ferris, Foulke, Gleason, Goodman, Gregory of Warren, Gregory of Montgomery, Hamrick, Henricks, Hershey, Higgins, Hogate, Hoover, Kilgore, Lane, Litson, Lockhart, Major, Meredith, Miller, Montgomery, McVey, Newcomb, Olleman, Prather, Reece, Rhoads, Rice, Riford, Sabin, Shuey, Sim, Stewart, Stringer, Sullivan of P. & V., Trusler, Upson, Welch, Woodruff, Wright, Woods, Zeigler and Mr. Speaker—55.

Those who voted in the negative were,

Messrs. Abbett, Bird, Boyd, Brown, Burton, Burwell, Buskirk, Coffroth, Croan, Dunham, Glazebrook, Gregg, Hargrove, Harrison, Howard, Humphreys, Hunt, Lasselle, Lee, Lemon, Lopp, Milroy, Osborn, Patterson, Perigo, Richardson, Roach, Shoaff of Allen, Shoaff of Jay, Stuckey, Sullivan of Scott, Thatcher, Veach, Weikel and White—35.

The question being, shall the title, as read, stand as the title of said bill?

It was so ordered.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Dunham moved to suspend the regular order of business, and take up House bill No. 125.

Which was agreed to.

House bill No. 125. A bill to amend sections one and two of an act entitled "an act to provide for the re-location of county seats and for the erection of public buildings in counties, in case of such re-location," approved March 2, 1855.

Was taken up and read a third time.

Mr. Foulke moved to refer the bill to the Committee on the Judiciary, with instructions to strike out "two," and insert "one."

Which was not agreed to.

Mr. Brown moved to commit the bill to the Committee on the Judiciary, with instructions to strike out "two" and insert "three."

Which was not agreed to.

Mr. Higgins moved the previous question.

Which was seconded by the House.

The question being, shall the main question be now put?

It was so ordered.

The question being shall said bill pass?

Those who voted in the affirmative were

Messrs. Abbett, Atkinson, Bird, Bonner, Boyd, Burns, Burton, Burwell, Buskirk, Caldwell. Church, Cook, Cowgill, Cox, Croan, Crook, Davidson, Dunham, Ferris, Foulke, Glazebrook, Gleason, Goodman, Gregg, Gregory of Warren, Groves, Hamrick, Hargrove, Harrison, Henricks, Hershey, Higgins, Hoover, Hunt, Humphreys, Kilgore, Lane, Lasselle, Lee, Lemon, Litson, Lockhart, Lopp, Major, Miller, Milroy, McVey, Newcomb, Olleman, Osborn, Patterson, Perigo, Reese, Rhoades, Rice, Richards, Richardson, Riford, Roach, Shoaff of Allen, Shoaff of Jay, Shucy, Sim, Stewart, Stringer, Stuckey, Sullivan of Scott, Sullivan of P. & V. Thatcher, Trusler, Upson, Veach, Weikel, Welch, White, Woodruff, Woods, Zeigler and Mr. Speaker—79.

Those who voted in the negative were,

Messrs. Griffith, Hogate, Montgomery, Prather, Sabin and Wright —6.

The question being, shall the title, as read, stand as the title of said bill?

It was so ordered.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Miller moved to take up House bill No. 174.

Mr. Newcomb moved to amend said bill by allowing the Judiciary Committee to make a report.

Which was agreed to.

Mr. Newcomb, from the Committee on the Judiciary, obtained leave, and made the following report:

MR. SPEAKER:

The Committee to whom was referred House bill No. 294, entitled "a bill providing for securing to the Common School Fund, sums forfeited on recognizance, and fixing the mode for declaring their forfeiture," have had the same under consideration, and have instructed me to report the same back, and recommend its passage.

Which report was laid upon the table.

House bill No. 294 was taken up, read a second time, and passed to a third reading.

Mr. Roach obtained leave of absence until Monday, 2 o'clock, P. M., on account of sickness.

Mr. Griffith, by consent, made the following report from the Joint Committees on State Prisons.

MR. SPEAKER:

The Joint Committees upon Northern and Southern State Prisons, to whom was referred House bill No. 282, a bill regulating the mileage of sheriffs in conveying convicts to the State Prison North, &c., having had the same under consideration, hereby report the same back to the House, and respectfully recommend its passage.

Which report was laid upon the table.

Mr. Groves, by consent, presented a claim from Deloss Root & Co., for $39.95.

Which was referred to the Committee on Ways and Means.

On motion by Mr. Burwell,

The House adjourned till Friday next, at 9 o'clock, A. M.

FRIDAY MORNING, 9 o'clock, December 8, 1865.

The House was called to order by Mr. Nixon, their Clerk.

By unanimous consent, Mr. Hamrick took the Chair.

The Clerk proceeded to read the Journal of Wednesday last, when,

On motion by Mr. Shuey,

The further reading was dispensed with.

PETITIONS, MEMORIALS AND REMONSTRANCES.

By Mr. Montgomery:

Sundry petitions from the citizens of Howard county on the subject of temperance.

Which were referred to the Committee on Temperance.

By Mr. Spencer:

A memorial from the Board of Commissioners of the county of Posey, praying for the repeal of an act for the relief of soldiers' families.

Which was referred to the Committee on Ways and Means.

By Mr. Reese:

A memorial from the Board of Commissioners of Randolph county, praying for the repeal of an act for the relief of soldiers' families.

Which was referred to the Committee on Ways and Means.

By Mr. Goodman:

A petition from sundry citizens of the State of Indiana, asking for a change in the Common School Law.

Which was referred to the Committee on Education.

By Mr. Montgomery:

A claim from Peter Wilkins for three dollars for making coal tub for State House.

Which was referred to the Committee on Claims.

REPORTS OF COMMITTEES.

Mr. Cowgill, from the Committee on Claims, made the following report:

Mr. Speaker:

The Committee on Claims, to whom was referred the following named claims, for various sums and purposes, have had the same under consideration, and would respectfully recommend that they be allowed, and that the same be embraced in the specific appropriation bill for payment, viz:

Nov. 17, 1865. To H. F. West & Co., for pitcher, tumblers, &c., for use of Legislature, $21.

Nov. 21, 1865. To Wilson & Gorgas, for saws, saw-bucks, and axe for use at the State house, $7 50

Nov. 21, 1865. To Kindler & Isensee, for keys, locks, repairs, &c., in and about State house, $16 25.

Nov. 27, 1865. To George W. Fersha, to two large iron scrapers, $8 00.

Which report was laid upon the table.

Mr. Boyd, from the Committee on Claims, made the following report:

Mr. Speaker:

The Committee on Claims, to whom was referred the claim of H. C. Chandler, for the sum of one hundred and ninety-four dollars and ninety cents. And also the claims of J. F. Wingate, one for the sum of seven dollars and fifty cents, and one for fifteen dollars and

seventy-five cents, beg leave to report that they have had the same under consideration, and find that they are correct and just; we therefore recommend that they be allowed, and placed in the specific appropriation bill for payment.

Which report was concurred in, and referred to the Committee on Ways and Means.

Mr. Cowgill from the Committee on Claims, made the following report:

MR. SPEAKER:

The Committee on Claims, to whom was referred the claim of the Branch at Bedford, of the Bank of the State, for the sum of three hundred dollars, for ten coupons of $30 each, that matured on the 1st day of May, 1864, upon ten bonds of the State issued under the act approved May 13, 1861, entitled "an act to authorize the Governor to issue bonds to appoint a board of Loan Commissioners, and defining their duties; requiring the Sinking Fund Commissioners to purchase bonds; defining their duties in relation to the interest received on the same, and levying a tax to meet the payment of the interest and principal of the bonds to be sold," which ten bonds were then held and owned by said Branch of the Bank of the State, and which coupons were, on the 1st day of May, 1864, detached from said bonds and placed in the mail by the officers of said Branch Bank, directed to Messrs. Gilmon, Son & Co., of the city of New York, for the purpose of being presented to the agent of State for redemption; and which said coupons were lost,. destroyed or stolen while in transit from said Branch Bank to the city of New York," have had the same under consideration, and have instructed me to report the same back with the recommendation that said claim be allowed; and that the same be referred to the Committee of Ways and Means with instructions to embody the same in the specific appropriation bill for payment.

Which report was concurred in and the claim referred to the Committee on Ways and Means.

Mr. Groves from the Committee on Claims, made the following report:

MR. SPEAKER:

The Committee on Claims, to whom was referred the following

named claims for the various sums herein named, have had the same under consideration, and would recommend that they be allowed, and that the Committee on Ways and Means be instructed to incorporate an allowance for the same in the specific appropriation bill. Munson and Johnson, for the sum of two hundred and eighty-two dollars and forty-five cents, for repairing stoves, grates, and furnishing various articles for the use of extra session of Legislature of 1865.

Which report was concurred in and referred to the Committee on Ways and Means.

Mr. Groves from the Committee on Claims, made the following report:

MR. SPEAKER:

The Committee on Claims, to whom was referred the following named claim, have had the same under consideration, and would beg leave to report the same back to the House with the recommendation that it lay on the table.

The claim is as follows to-wit:

Werden and Co., for sundry articles of wall paper, &c., for forty dollars and ten cents.

Which report was laid upon the table.

Mr. Veach from the Committee on Claims, made the following report:

MR. SPEAKER:

The Committee on Claims to whom was referred the claims of Speigel, Thoms & Co., for twelve dollars for office table for the House, and thirteen dollars and seventy-five cents for chairs for the House, have had the same under consideration, and have directed me to report the same back and recommend that they be allowed and incorporated in the specific appropriation bill for payment.

Which report was concurred in and referred to the Committee on Ways and Means.

Mr. Veach from the Committee on Claims, made the following report:

MR. SPEAKER:

The Committee on Claims to whom was referred the claims of Hume, Adams & Co., for sundry articles of house furnishing goods,

one for the sum of forty-six dollars and sixty-nine cents, one for forty-six dollars and eighty-seven cents, and also one for seventeen dollars and three cents, have had the same under consideration, and have directed me to report the same back and recommend that they be allowed and incorporated in the specific appropriation bill for payment.

Which report was concurred in and referred to the Committee on Ways and Means.

Mr. Veach, from the Committee on Claims, made the following report:

Mr. Speaker:

The Committee on Claims, to whom was referred the claim of Hall & Hutchinson for two set of statutes furnished the State —— 28, 1865, for the sum of twenty dollars, have had the same under consideration, and have directed me to report the same back, and recommend that the same be allowed and incorporated in the specific appropriation bill for payment.

Which report was concurred in, and referred to Committee on Ways and Means.

Mr. Newcomb, from the Committee on the Judiciary, by consent made the following report:

Mr. Speaker:

The Committee on the Judiciary, to whom was referred House bill No. 86, entitled, "A bill authorizing the digging of a ditch or canal from the Little Calumet river to the Grand Calumet river, in Lake county," have had the same under consideration, and have instructed me to report the same back, with a recommendation that the title be stricken out, and that the bill be stricken out from the enacting clause, and the accompanying bill and title be inserted, and when so amended they recommend the passage of the bill:

An act giving the consent of the State of Indiana to, and authorizing the digging or contracting a ditch or canal from the Little Calumet river to the Grand Calumet river, both in Lake county, in this State, and requiring the Attorney General to defend such suits or actions at law as may be brought against the parties who may be prosecuting said work.

Section 1. That one or more persons acting in conformity to and

in accordance with the laws of this State, may, and they are hereby authorized to dig or construct a ditch or canal from the Little Calumet river to the Grand Calumet river, in Lake county, in this State, for the purpose of draining the wet and overflowed lands adjacent to said rivers; and in case the Trustees of the Illinois and Michigan Canal, or any other parties claiming interests in the Calumet Feeder Dam, or in said Canal, under the State of Illinois, should endeavor to prevent, by suits or actions at law, such persons or association from digging or constructing said ditch or canal, then the Attorney General shall, and he is authorized and requested to defend the same on behalf of the State, and for the expenses of the judicial proceedings in this case, the money appropriated by an act entitled "An act to provide for the prosecution of the necessary judicial proceedings to procure the removal of the feeder dam erected across the Calumet river in the State of Illinois, and for the payment of such proceeding," approved March 9, 1861, may be taken and used; but no money shall be drawn from the treasury for the payment of such expenses, except in such manner as is provided in section 5, of the act above recited.

SEC. 2. It being necessary that the work should be commenced as soon as practicable, therefore it is decided that an emergency exists, and this act shall be in force from and after its passage.

Which report and amendments were laid on the table.

Mr. Hoover, by consent, presented a protest of J. B. McKee and others against the pardoning of Jefferson Davis.

Which was referred to the Committee on Federal Relations.

Mr. Major, from the Committee on Fees and Salaries, made the following report:

MR. SPEAKER:

The majority of the Committee on Fees and Salaries, to whom was referred House bill No. 304, "An act to authorize county commissioners, in certain cases, to appropriate money from the county treasury for the benefit of the county clerk, auditor, treasurer and recorder," have considered the same, and have directed me to return the same, with the recommendation that, for the present, it do lie on the table.

Which bill and report was laid on the table.

Mr. Major, from the Committee on Fees and Salaries, made the following report:

MR. SPEAKER:

The majority of the Committee on Fees and Salaries, to whom was referred Senate bill No. 226, "a bill to amend certain sections therein enumerated, of an act entitled an act regulating fees of officers," approved March 2, 1865, have had said bill under consideration, and are of opinion that further legislation upon the subject therein contained is inexpedient at the present time.

Which was concurred in and the report laid on the table.

By Mr. Burnes, from the Committee on Rights and Privileges:

MR. SPEAKER:

A majority of the Committee on Rights and Privileges, to whom was referred House bill No. 273, introduced by Mr. Lemon, entitled "a bill to more effectually enforce the Thirteenth Article of the Constitution," have considered the same, and would respectfully report it back to the House of Representatives without recommendation, and ask to be discharged from any further consideration of it.

Which report was laid upon the table.

Mr. Abbott, by consent, presented a petition from sundry citizens of Bartholomew county, on the subject of Temperance.

Which was referred to the Committee on Temperance.

Mr. Buskirk, from the Committee on Corporations, reported as follows:

MR. SPEAKER:

The Committee on Corporations, to whom was referred House bill No. 120, entitled, "a bill to prescribe the duties of agents of Insurance Companies," have directed me to report the same back, with a recommendation that the same do lie upon the table, for the reason that the provisions of the said bill are incorporated in a Senate bill now pending in the House.

Which report was concurred in, and House bill No. 120 laid on the table.

Mr. Buskirk, from the Committee on Corporations, made the following report:

MR. SPEAKER:

The Committee on Corporations, to whom was referred Senate bill No. 8, amending the law for the incorporation of cities, have had the same under consideration, and have directed me to report the same back, and recommend that it do lie upon the table, for the reason that the subject matter is embraced in a Senate bill now pending in the House, which amends all the laws relating to cities.

Which report was concurred in, and Senate bill No. 8 was laid on the table.

Mr. Foulke, from the Committee on Corporations, reported as follows:

MR. SPEAKER:

The Committee on Corporations, to whom was referred Senate bill No. 21, entitled, "an act to amend sections 9, 10, 18, 23, 24 and 33 of an act entitled 'an act to incorporate the town of Vernon, Jennings county, Indiana, have had the same under consideration, and would respectfully recommend the passage of the bill.

Which report was laid on the table.

BILLS INTRODUCED.

By Mr. Branham:

House bill No. 313. A bill to abolish the offices of President and Commissioners of the Sinking Fund, transferring said Sinking Fund and the management thereof to the Auditor and Treasurer of State, and defining their duties in relation thereto; providing for the investment of the Sinking Fund in the stocks of the State; the execution of non-negotiable bonds in certain cases, and for distribution of interest accruing to said Sinking Fund, and declaring an emergency.'"

Which was read a first time, laid on the table, and three hundred copies ordered to be printed.

Mr. Rice, by consent, offered the following resolution:

Resolved, That the Lieutenant Governor be requested to send to

the House, immediately, a letter written by Charles Butler, of New York, to Governor Morton, in relation to the payment or adjustment of the State Debt.

Which was agreed to.

By Mr. Miller:

House bill No. 314. A bill to raise revenue, for defraying the expenses of the State Government for the year one thousand eight hundred and sixty-six; repealing the second section of an act entitled "an act to raise revenue for State purposes, for the year one thousand eight hundred and sixty-five, and one thousand eight hundred and sixty-six," approved March 2, 1865, and declaring an emergency.

Which was read a first time and passed to a second reading.

By Mr. Stringer:

House bill No. 315. A bill to amend section 104 of an act entitled "an act to provide for the valuation and assessment of the real and personal property, and the collection of taxes in the State of Indiana," for the election of Township Assessors, and prescribing the duties of Assessors, Appraisers of real property, County Auditors and Treasurers, and the Treasurer and Auditor of State," approved June 21, 1852.

Which was read a first time and referred to the Committee on Fees and Salaries.

Mr. Milroy offered the following resolution:

Resolved, That the Auditor of State be requested to report to this House, as soon as practicable, what amount of money has been paid to the State Printer for the year 1865.

Which was adopted.

By Mr. Howard:

House bill No. 316. A bill to amend section 17 of an act entitled "an act to provide for the government and discipline of the State Prison, and to repeal an act to provide for the government and discipline of the State Prison," approved March 3, 1855, and all other laws or parts of laws inconsistent herewith, approved February 5, 1857.

Which was read a first time and referred to the Committee on State Prison South.

By Mr. Cowgill:

House bill No. 317. A bill to amend the 71st section of an act entitled "an act regulating general elections, and prescribing the duties of officers in relation thereto," approved June 7th, 1852.

Which was read a first time, and referred to the Committee on the Judiciary.

By Mr. Henricks:

House bill No. 318. A bill to amend the first section of an act entitled "an act to incorporate the St. Joseph Iron Company," approved January 22, 1865.

Which was read a first time and passed to a second reading.

Mr. Lockhart, by consent, made the following report from the Committee on Railroads:

MR. SPEAKER:

The Committee on Railroads, to whom was referred Senate bill No. 206, entitled "a bill supplemental to an act entitled 'an act to authorize, regulate and confirm the sale of railroads, to enable purchasers of the same to form corporations, and exercise corporate powers; and to define their rights, powers and privileges; to enable such corporations to purchase and construct connecting and branch roads, and to operate and maintain the same,' approved March 3d, 1865, and for the purpose of making the same more definite and certain," have had the same under consideration, and would respectfully report the same back and recommend its passage.

Which report was laid on the table.

Mr. Lockhart, from the Committee on Railroads, reported as follows:

MR. SPEAKER:

The Committee on Railroads, to whom was referred Senate bill No. 211, entitled "a bill supplemental to an act entitled 'an act to incorporate the White River Navigation Company,' approved February 13, 1857, and an act entitled 'an act to amend the third section of an act entitled 'an act to incorporate the White River Navigation Company,' approved February 13, 1851, and to extend the rights and privileges of said company,' approved June 16, 1852, and to further

extend the rights and privileges of said company," have had the same under consideration, and would respectfully report the same back and recommend its passage.

Which report was laid on the table.

Mr. Gleason, from the Committee on Engrossed Bills, made the following report:

Mr. Speaker:

The Committee on Engrossed Bills would respectfully report that they have examined engrossed House bill No. 285, and find the same correctly engrossed.

Which report was laid upon the table.

SPECIAL ORDER.

The hour having arrived for the consideration of House bills Nos. 277, 278, 279, and 280, the same were taken up.

Mr. Newcomb moved to make said bills the special order for the day, immediately after House bill No. 285 is disposed of.

Which was agreed to.

House bill No. 285. A bill to provide a State Debt Sinking Fund, for the payment of the principal and interest of the War Loan Bonds, and five and two and one-half per cent. stocks of the State therein named; prescribing the duties of the Auditor, Treasurer, and Agent of State in relation thereto; providing for a Clerk of said Sinking Fund, and fixing his salary; and providing a penalty for the violation of its provisions, and declaring an emergency for the immediate taking effect of the same,

Was taken up.

The question being, shall said bill be read a third time?

Pending which,

On motion by Mr. Harrison,

The House adjourned.

2 o'clock, P. M.

The House met.

Mr. Hamrick in the Chair.

Mr. Veach obtained leave of absence on account of sickness.

SPECIAL ORDER.

The hour having arrived for the consideration of House bill No. 301,

Mr. Brown moved to postpone the consideration of said bill till ten o'clock to-morrow morning.

Which was agreed to.

Pending the adjournment, was the consideration of House bill, No. 285.

Mr. Newcomb moved that when the House adjourn, it meet again at 7 o'clock this evening.

No quorum voting.

A message from the Senate by Mr. Wilson, their Secretary.

MR. SPEAKER:

I am directed by the President of the Senate to inform the House of Representatives that the Senate has passed the following engrossed bills thereof, in which the concurrence of the House is respectfully requested:

Engrossed Senate bill No. 161, entitled "a bill requiring the Board of County Commissioners in the several counties of the State of Indiana to examine the books, papers and vouchers of any officer in their respective counties who may be charged with having received a greater amount of fees than he is legally entitled to receive, and to determine the amount thereof, if any, and to cause suit to be brought for its recovery, and declaring an emergency."

Also, engrossed Senate bill No. 187, entitled "an act to amend sections three and fifty-three of an act entitled 'an act to reduce the law incorporating the city of Madison, and the several acts amendatory thereto, into one act, and to amend the same,' approved February 14, 1848, and declaring an emergency."

Also, engrossed Senate bill No. 208, entitled "an act to provide for the construction of sewers within incorporated towns, defining the powers and duties of the Board of Township Trustees in relation thereto, and to repeal all laws in conflict therewith."

Also, engrossed Senate bill No. 213, entitled "an act to amend section thirty-three of an act entitled 'an act to repeal all general laws now in force for the incorporation of cities; prescribe their powers and rights, and the manner in which they shall exercise the same, and to regulate such matters as properly pertain thereto,' approved March 9, 1857."

Also, engrossed Senate bill No. 214, entitled "a bill to define what officers shall be elected by each House of the General Assembly, and fixing their compensation, and repealing all laws inconsistent therewith."

Also, engrossed Senate bill No. 215, entitled "an act to amend section seventy-seven of an act entitled 'an act to revise, simplify and abridge the rules, practices, pleadings and forms in criminal actions in the courts of the State,' approved June 17, 1852, and declaring when the same shall take effect."

Also, engrossed Senate bill No. 223, entitled "a bill to authorize married women under the age of twenty-one years to join in the conveyance of real estate in certain cases, and to repeal all laws and parts of laws inconsistent therewith."

Also, engrossed Senate bill No. 228, entitled "an act to amend an act entitled 'an act to provide for the uniform mode of doing township business; prescribing the duties of certain officers connected therewith, and to repeal all laws conflicting with this act,' approved February 18, 1859."

Also, engrossed Senate bill No. 229, entitled "an act supplemental to an act approved March 5, 1859, authorizing the purchases of railroads, plank roads, and turnpike roads, under mortgage sale, etc."

Also, engrossed Senate bill No. 225, entitled "an act providing for the taking of depositions of parties to civil actions on their own behalf, and declaring when the same shall take effect."

Also, engrossed Senate bill No. 230, entitled "an act in relation to the organization of the Senate and House of Representatives."

Also, engrossed Senate bill No. 234, entitled "an act supplemental to an act approved June 11, 1852, entitled 'an act for the incorporation of towns, defining their powers, providing for the election of the officers thereof, and declaring their duties.'"

Also, engrossed Senate bill, No. 239, entitled "an act authorizing the sessions of Common Pleas Courts in this State, after the time of holding Circuit Court, when the time of their sessions comes in conflict, and declaring an emergency."

Also, Senate bill, No. 241, entitled "an act to amend an amendment of an act entitled 'an act in relation to witnesses,' and to repeal section 238, of article 13, of the act entitled 'an act to revise, simplify and abridge the rules, practices and pleadings, and forms of actions at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity,'" approved June 18, 1852, and to repeal all laws inconsistent therewith, and providing when the act shall take effect and be in force, which took effect and went into force March 17, 1861.

Also, engrossed Senate bill, No. 244, entitled "an act to amend an act entitled 'an act providing for the election and qualification of Justices of the Peace, and defining their jurisdiction, powers and duties in civil cases,'" approved June 9, 1852.

Also, engrossed Senate bill, No. 246, entitled "an act to repeal the 17th section of an act to incorporate the Firemen and Mechanics' Insurance Company," and declaring an emergency.

Also, engrossed Senate bill, No. 252, entitled "an act to amend the second section of the act for the incorporation of manufacturing and mining companies, and companies for mechanical, chemical and building purposes, approved May 20, 1852, by extending the provisions of said section to any companies heretofore incorporated for any of the purposes contemplated in said act, and legalizing all conveyances heretofore received by such companies for such purposes."

Also, engrossed Senate bill, No. 254, entitled "an act to amend section 2 of an act entitled 'an act to provide a treasury system for the State of Indiana; for the manner of receiving, holding and disbursing the public moneys of the State, and for the safe keeping of the public moneys.'"

Also, engrossed Senate bill, No. 255, entitled "a bill to amend the second section of an act supplemental to an act entitled 'an act for the incorporation of high schools, academies, colleges, universities, theological institutions, and missionary boards,'" approved February 28, 1855, approved March 5, 1859.

Also, engrossed Senate bill, No. 256, entitled "an act to amend the fortieth clause of section 30 of an act entitled 'an act granting the citizens of the town of Evansville a city charter,'" approved January 27, 1847.

Also, engrossed Senate bill, No. 258, entitled "an act to amend section 96 of an act providing for the settlement of decedents' estates, prescribing the rights, liabilities and duties of officers connected with the management thereof, and the heirs thereto, and certain forms to be used in such settlements," approved June 17, 1852.

Also, engrossed Senate bill, No. 249, entitled "an act defining the powers of companies organized to construct canals for hydraulic purposes."

Also, engrossed Senate bill, No. 261, entitled "an act to amend the second and fifth sections of an act entitled 'an act concerning the organization of voluntary associations, and repealing former laws in reference thereto,'" approved February 12, 1858.

Also, engrossed Senate bill, No. 262, entitled "an act to make an appropriation to pay the balance of the quota of this State of the expenses of the Soldiers' National Cemetery at Gettysburg, Pennsylvania, as assessed by the Board of Managers of said association."

Also, engrossed Senate bill, No. 268, entitled "an act to invest the Circuit Courts of this State with exclusive original jurisdiction in applications for divorces, and to prescribe the terms upon which divorces may be granted, in cases where the causes of divorce relied on occurred elsewhere than in this State."

Also, engrossed Senate bill, No. 269, entitled "an act to require County Auditors to make examination of the records in their offices in relation to school funds, and make report, and declaring an emergency."

Also, engrossed Senate bill, No. 272, entitled "a bill to amend the

twelfth section of an act entitled 'an act to provide for a general system of common schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed.'"

Also, engrossed Senate bill, No. 290, entitled "an act concerning school houses, and defining who shall occupy and control them."

Also, engrossed Senate bill, No. 216, entitled "an act to repeal sections 43 and 44 of an act entitled 'an act prescribing who may make a will, the effect thereof, what may be devised, regulating the revocation, admission to probate and contest thereof,'" approved May 31, 1852.

Also, engrossed Senate bill, No. 212, entitled "an act to amend section 23 of an act entitled 'an act for the incorporation of insurance companies, defining their powers and prescribing their duties,'" approved January 17, 1852.

Also, Engrossed Senate bill No. 156, entitled, an act to amend the 14th section of an act entitled, "an act to limit the number of Grand Jurors, and to point out the manner of their selection, defining their jurisdiction, and repealing all laws inconsistent therewith," approved March 4, 1852; and to change the oath of Grand Jurors.

Also, Senate Joint Resolution No. 15, entitled "a joint resolution requesting our Senators and Representatives in Congress, to adopt some more efficient mode of adjusting soldiers claims."

Also, Engrossed House bill No. 78, entitled, "a bill to provide for the sale of certain lands belonging to the State of Indiana, in the counties of Jasper and Newton, and to give pre-emption to actual settlers thereon."

Also, Engrossed House bill No. 106, entitled, "a bill authorizing the construction of warehouses for the inspection, storage and sale of tobacco."

Also, Engrossed House bill No. 47, entitled, "a bill to increase the powers of the Board of Sinking Fund Commissioners, and to authorize said board to loan any moneys belonging to said fund, in Indiana

State Bonds, or Stocks, and providing for the cancelling of such bonds or stocks, and the re-issuing of new non-negotiable bonds or stocks, payable to said fund."

On motion by Mr. Griffith, the House adjourned.

SATURDAY MORNING, 9 o'clock,
December 9, 1865.

The House met pursuant to adjournment.

The Speaker ordered a call of the House, when the following members answered to their names:

Messrs. Bird, Bonner, Boyd, Branham, Brown, Burns, Buskirk, Caldwell, Chambers, Coffroth, Cook, Cox, Crook, Davidson, Ferris, Foulke, Glazebrook, Gleason, Goodman, Griffith, Gregg, Gregory of Montgomery, Gregory of Warren, Groves, Hargrove, Hamrick, Harrison, Henricks, Hogate, Hoover, Humphreys Hunt, Kilgore, Lane, Lasselle, Lemon, Litson, Lockhart, Lopp, Meredith, Miller, Milroy, Montgomery, McVey, Olleman, Osborn, Perigo, Prather, Rhoads, Rice, Richards, Richardson, Riford, Sabin, Shuey, Sim, Spencer, Stewart, Stivers, Stringer, Stuckey, Sullivan of Scott, Sullivan of P. and V., Trusler, Weikel, Welch, White, Wright, Woods, Zeigler and Mr. Speaker.

A quorum being present, a further call of the House was dispensed with.

The Clerk proceeded to read the Journal of yesterday, when,

On motion by Mr. Hamrick,
Its further reading was dispensed with.

Mr. Hamrick, from the Committee on Corporations, made the following report:

MR. SPEAKER:

The Committee on Corporations, to whom was referred House bill No. 302, entitled "a bill to amend section 14 of an act authorizing the construction of plank, macadamized and gravel roads," approved May 12, 1852, have had the same under consideration and have directed me to report the same back to the House and recommend its passage.

Which report was laid on the table.

Mr. Hamrick, from the Committee on Corporations, made the following report:

MR. SPEAKER:

The Committee on Corporations, to whom was referred House bill No. 312, entitled "a bill to amend section 1 of an act entitled an act to amend section nine of an act entitled an act to amend section 2 of an act entitled an act concerning the organization of voluntary associations and repealing former laws in reference thereto," approved February 12, 1856, approved March 9, 1861, approved February 10, 1863, have had the same under consideration, and have directed me to report the same back to the House with the following amendment, and upon the adoption of which, they recommend its passage: Insert after the ninth clause a tenth clause, "to erect and maintain public ferries."

Which report was laid upon the table.

Mr. Humphreys, from the Committee on Fees and Salaries, made the following report:

MR. SPEAKER:

The Committee on Fees and Salaries, to whom was referred House bill No. 315, have had the same under consideration and a majority of said Committee have instructed me to report the same back and recommend that the same be amended by striking out "ten per centum," where it occurs, and inserting "five per centum," and when so amended recommend its passage.

Which report was laid on the table.

Mr. Bonner, from a special committee, made the following majority report:

Mr. Speaker:

The Special Committee, to whom was referred Senate bill No. 66, have considered the same and a majority of said Committee have directed me to report said bill back to the House and recommend its passage without amendment.

Which report was laid on the table.

Mr. White, from the same Committee, made the following minority report:

Mr. Speaker:

The minority of the Special Committee, to whom was referred Senate bill No. 66, entitled "an act to fix the time of holding the Common Pleas Courts in the several Counties of this State, creating a new District for the election of a Judge therein, the duration thereof," &c., have had the same under consideration and do hereby respectfully dissent from the views of the majority of said Committee, as set forth in their report, believing it unnecessary to make two Districts out of one, which is but an average in size, and imposing the burthen of taxation on the same, to pay the salaries of two Common Pleas Judges, at fifteen hundred dollars per annum each, for discharging the same duties heretofore incumbent upon one, at a salary of one thousand dollars per annum. In view of these considerations, the minority of said Committee recommend that said report be indefinitely postponed.

Which minority report was laid on the table.

Mr. White from the special committee on Senate bill No. 205, made the following Report:

Mr. Speaker:

The special committee to whom was refered Senate bill No. 205, entitled an act to fix the time of holding the Circuit Court in the several counties composing the 7th Judicial Circuit, and repealing all laws in conflict therewith, have had the same under consideration, and have directed me to report the same back with the following amendment and when so amended recommend its passage.

Amend section one by striking out in the 27th line of said section, the word "two" and insert "three."

Which report and amendment was laid on the table.

Mr. Kilgore from a special committee on House bill No. 305, made the following report:

Mr. Speaker:

The special committee to which was referred House bill No. 305, entitled "an act creating the 14th Judicial Circuit and designating what counties shall constitute the 7th and 13th Judicial Circuits, and fixing the times of holding Courts in each of said Circuits, has had the same under consideration and have directed me to report the same back and recommend its passage.

Which report was laid upon the table.

A message from the Senate by its Secretary, Mr. Wilson.

Mr. Speaker:

I am directed by the President of the Senate, to inform the House of Representatives that the Senate has passed the following engrossed bills thereof, in which the concurrance of the House is respectfully requested.

Engrossed Senate bill No. 289, entitled ' an act to provide for the acknowledgement of the execution of official bonds, and to declare the effect and obligation of such bonds as between the obligors and the State."

Also, engrossed Senate bill No. 300, entitled an act to amend the fifth section of the act entitled "an act providing for an organization of Circuit Courts, the election of Judges thereof and defining their powers and duties," approved June 1, 1852.

On motion, by Mr. Meredith, Mr. Cook obtained leave of absence on account of sickness.

Mr. Lockhart, from the Committee on Railroads, made the following report:

Mr. Speaker:

The Committee on Railroads, to whom was referred House bill No.

217, entitled "an act compelling Railroad Companies to transport all freights of whatever nature which may accumulate along the line of their respective roads, declaring that one class of freights shall not have precedence over any other class, prescribing penalty and declaring an emergency," have had the same under consideration, and would respectfully report the same back and recommend that it be indefinitely postponed.

Mr. Coffroth moved to recommit the report and bill with the following instructions: Commit the bill to the Committee on the Judiciary with instructions to inquire into the powers of the Legislature to effect, by general legislation, the franchises of any of the Railroads of the State, and to report, if they deem it competent for the Legislature, a proper bill upon the subject.

Mr. Lane moved the previous question.
Which was seconded by the House.

The question being shall the main question be now put?

It was so ordered.

The question being on the motion of Mr. Coffroth, to recommit with instructions.

Messrs. Reese and Griffith demanded the ayes and noes.

Those who voted in the affirmative were

Messrs. Bird, Boyd, Branham, Brown, Burnes, Buskirk, Church, Coffroth, Crook, Gleason, Harison, Hoover, Humphreys, Hunt, Lane, Lemon, Lockhart, Meredith, Montgomery, Richards, Riford, Sabin, Shoaff of Allen, Shuey, Spencer, Stewart, Sullivan of P. and V., Welch and Wright—29.

Those who voted in the negative were,

Messrs. Atkinson, Bonner, Caldwell, Chambers, Cowgill, Cox, Davidson, Dunham, Ferris, Foulke, Glazebrook, Goodman, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Hargrove, Henricks, Higgins, Hogate, Kilgore, Litson, Lopp, Miller, McVey, Newcomb, Olleman, Osburn, Perigo, Pinney, Prather, Rhoads, Shoaff of Jay, Sim, Stuckey, Trusler, Upson, Weikel, White, Woods and Mr. Speaker—43.

So the motion to commit did not prevail.

The question being on concurring in the report of said committee.

Messrs. Prather and Griffith demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Bird, Boyd, Burnes, Lockhart, Sabin, and Shoaff of Jay —6.

Those who voted in the negative were,

Messrs. Atkinson, Branham, Chambers, Coffroth, Cowgill, Cox, Crook, Davidson, Dunham, Ferris, Foulke, Glazebrook, Gleason, Goodman, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Hargrove, Harrison, Henricks, Higgins, Hogate, Hoover, Humphreys, Hunt, Lane, Lemon, Litson, Lopp, Meredith, Miller, Montgomery, McVey, Newcomb, Olleman, Osborn, Perigo, Prather, Reese, Rhoads, Richards, Riford, Shoaff of Allen, Shuey, Sim, Spencer, Stewart, Stringer, Stuckey, Sullivan of P. and V., Trusler, Upson, Weikel, Welch, White, Wright, Woods, Zeigler and Mr. Speaker—61.

So the report was not concurred in.

THE SPECIAL ORDERS OF THE DAY.

Mr. Brown called for the special order, being House bill No. 301.

Mr. Brown moved to postpone said bill, and make it the special order of the day for Tuesday next, at 10 o'clock, A. M.

Which was agreed to.

Mr. Chambers, from a select committee, made the following report:

MR. SPEAKER:

The select committee to whom was referred various bills, petitions and propositions relating to the location of the Agricultural College, have had the same under careful consideration, and a majority of the committee have directed me to report back House bill No. 6, with a recommendation that the same be stricken out from the enacting clause, and that the accompanying bill be inserted in lieu thereof; and when so amended, they recommend its passage.

A bill providing for the location and government of the State Agricultural College, the management of its funds and property, and

for the assignment of its land scrip, and the locating of the same upon lands of the United States, and for the disposition and management of said lands.

That there shall be established, organized and put into operation a College, to be denominated "The Indiana State Agricultural College." The leading object of which shall be, to teach such branches of learning as are related to Agriculture, the Mechanic Arts, and Military Tactics, and such other scientific and classical studies as the General Assembly or Trustees may from time to time direct, and in such manner as the Legislature may prescribe, in order to promote the liberal and practical education of the industrial classes in the several pursuits and professions of life. And the same is hereby located at Bloomington, Monroe county, Indiana, in connection with the Indiana State University; upon condition that the citizens of said county shall, within three months from the passage of this act, convey to the Trustees of said College, by general warranty deed, a farm of one hundred and sixty acres of land, in the vicinity of the building of said State University; and also donate to said Trustees the Geological and Mineralogical Cabinet of the late Dr. David Dale Owen, of New Harmony, Indiana. The compliance upon the part of said citizens of said county of Monroe, in so conveying said lands and donating said collection, shall be certified to the Governor of the State of Indiana, by said Trustees, and the said Governor shall, within ten days after receiving said certificate from said Trustees, issue his proclamation, announcing the fact that said citizens of Monroe county have complied with the terms of this act, in reference to said grant and donation as aforesaid; and that said location of said Agricultural College is made complete and perfect.

Sec. 2. The Trustees of said College shall consist of the Trustees of the Indiana University, increased to the number of thirteen, so that there shall be one Trustee from each Congressional District within the State, and two resident Trustees within the said county of Monroe.

Sec. 3. Said Trustees shall be as follows, to-wit: From First Congressional District, ——— ———; Second District, Winstandly; Third District, Newton F. Mallott; Fourth District, ——— ———; Fifth District, ——— ———; Sixth District, William Hannaman; Seventh District, William K. Edwards; Eighth District, Samuel C. Wilson; Ninth District, ——— ———; Tenth District, ——— ———;

Eleventh District, ——— ———; from Monroe county, James D. Maxwell and Nathaniel C. Browning. Said Trustees shall be classified into four Classes, as follows: those from the First, Fourth and Seventh Districts, shall constitute the First Class; those from the Second, Fifth and Eighth Districts, the Second Class; those from the Third, Sixth and Ninth Districts, the Third Class; and those from the Tenth and Eleventh Districts, and the resident Trustees from Monroe county, the Fourth Class. And their terms of service shall expire as follows: First Class within two; Second Class within three; Third Class within four; and Fourth Class within five years from the passage of this act. All vacancies which shall occur in said Board of Trustees shall be filled by appointment by the State Board of Education, and shall continue as follows: when made to fill vacancies by reason of the expiration of term of service, shall be for four years; in all other cases shall be for the unexpired term of service of the Trustee whose vacancy is filled, so that one class of said Trustees shall go out annually. Said Board of Trustees shall meet at said town of Bloomington, at each regular commencement of said State University, and shall meet there at such other times as they may be notified, whenever the President of said Board, and the resident Trustees of said county of Monroe shall deem a meeting necessary for the benefit of said University or College Any Trustee failing to attend the meetings of said Board, shall forfeit and pay the sum of twenty-five dollars, unless his excuse for non-attendance shall be deemed sufficient by said Board; the same to be collected by said Board and paid into the University Fund, to be applied by said Board as they may deem best for the interests of said University. Any seven of said Trustees may constitute a quorum for the transaction of business. Said Trustees, before entering upon the discharge of their duties as such, shall severally take an oath or affirmation to support the Constitution of the United States, and the Constitution of the State of Indiana, and that they will faithfully and honestly discharge the duties of their office.

Sec. 4. All land script which may hereafter be received by the State of Indiana from the General Government by virtue of an act of Congress, approved July 2, 1862, entitled "an act donating land to the several States and Territories which may provide colleges for the benefit of agriculture and mechanic arts, shall be assigned by the Auditor of State for the State of Indiana to the Trustees of said State University, to be by them located as soon as the same can properly be done upon such public lands of the United States as may

be subject to such location, as said Trustees may select, in pursuance of the provisions of said act of Congress," approved July 2, 1862 as aforesaid, which lands after the same are located, as aforesaid shall be sold by said Trustees in lots not less than forty acres, each upon a credit of ten years for a sum not less than one dollar per acre, requiring the purchaser to pay at least six per cent. interest per annum. The first years interest to be paid in advance and the residue of interest to be paid annually, upon the full price of the purchase money for each lot so sold as aforesaid, which interest and principal said Board of Trustees shall collect and pay the same into the State Treasury as moneys are now paid in, as fast as the same shall be collected, keeping an acurate account of the same. The Auditor of State shall keep seperate accounts of said principal and interest and keep them seperate from all other funds, said Auditor shall convert the principal of said funds as fast as the same shall be paid into the State Treasury of said Trustees as aforesaid, into stocks of the United States, yielding not less than six per cent. per annum, which principal shall constitute a perpetual fund, the capital of which shall remain forever undiminished, and for the loss of which or any part thereof the State of Indiana shall be responsible, said Auditor of State shall draw the interest upon said bonds or stocks as fast as the same shall become due, keeping an accurate account thereof and shall pay the same into the Treasury of the State for the use of said college. The interests arising upon the sale of said lands, as also that upon said stocks, shall be expended by said Board of Trustees to the support and maintenance of said college as to them may seem best in accordance with the provisions of said act of Congress, approved July 2, 1862 as aforesaid, said Treasurer of State shall pay out said interest as aforesaid, upon the proper warrents of said Auditor of State, as the interest upon the fund of said University is now paid out.

Sec. 5. In the selection and location of said lands as aforesaid, said Board of Trustees shall designate one or more of their number, not exceeding three, who shall, at as early a period as possible, select and locate said land for the best interests of said college, and make out two accurate plats of the same, one of which plats shall be filed with said Board of Trustees, and the other shall be filed with the Auditor of State, and they shall, after giving notice in such public journals in the United States as said Board of Trustees may deem best, not exceeding ten in number, proceed to sell said lands with as

little delay as the best interests of said college will permit, upon the terms herein before prescribed and, shall execute to each purchaser a certificate of purchase for all lands sold him, conditioned for the payment of the principal and interest as herein before stated, as also all taxes that may thereafter accrue thereon, and on failure to make either or all of said payments as aforesaid to forfeit said land and all payments made thereon together with twenty-five per cent. as liquidation damages upon the full amount of purchase money to be collected by said Board of Trustees by suit or otherwise. All forfeited lands as aforesaid shall be sold again as other lands are sold, said Board of Trustees, shall make provision for the execution of deeds, of general warranty to all purchasers of said lands their heirs, executors or assigners whenever the same shall be paid for in full, and not otherwise, monthly reports shall be made under oath by said Trustees so selected to locate and sell said land as aforesaid, of all sales made by them of said lands, giving the terms of sale, and the amount of money received by them, one copy of which, each month, shall be filed with said Board of Trustees, and one copy with said Auditor of State. Said Auditor of State shall carefully preserve all reports made to him by said Trustees as aforesaid in this act, and shall lay certified copies of the same, from time to time, as they are made, before the Legislature at the commencement of its session next thereafter. And said Board of Trustees shall in addittion to their other reports, report annually to the Governor of the State, the amount of said lands sold each year, the price realized therefor and the amount of interest received until all of said lands are sold and the purchase money therefor is collected and the Governor shall lay said reports before the Legislature at the commencement of its session next thereafter.

All expenses in the selection, location and sale of said lands, as also all taxes which may become due on said land prior to their sale, shall be paid out of the State Treasury upon proper warrants as other moneys are paid. The trustees so appointed to make said selection and location of said lands, and to sell the same, shall receive for their services, five dollars per day, together with all necessary travelling expenses. Their accounts for said services shall be made out in writing quarterly, accurately stating the number of days engaged by each, and the amount of their traveling expenses, which accounts shall be sworn to, and the oath shall state, that no more time was expended, than was really necessary in the transaction of the busi-

ness entrusted to them, and that no more money was charged for expenses, than was actually paid out; which accounts shall be filed with said board of Trustees, and if approved by them, shall be forwarded to the Auditor of State with the recommendation that the same be paid, and said Auditor of State shall draw his warrant upon the Treasurer of State for the amount, and the same shall be paid by said Treasury of State, out of the funds of the State as herein provided. Said Board of Trustees shall secure for all the other services, such pay as is now provided by law to the Trustees of said university, the same to be apportioned by them, and paid out of the interest arising from said university and college funds, as to said Board of Trustees may seem just and proper; said Trustees, so selected as aforesaid, to make sale of said lands, shall, before making any such sales, execute separate bonds in the penal sum of seventy-five thousand dollars, each payable to the Indiana University, conditioned to be void upon the faithful performance of the duties in the trusts reposed in them.

Sec. 6. Said Board of Trustees in selecting their President, Secretary and Treasurer, and in doing all other acts, shall be governed by the laws now in force, governing the Indiana University, except as in this act provided.

Sec. 7. Said Board of Trustees shall, in their corporate capacity, have power to receive and hold for the use and benefit of said college, all gifts, grants or donations of every species of property whatsoever, whether real, personal or mixed, and to make such disposition of the same, as to said board may seem for the best interests of said college. Said board shall set apart such of the grounds and building of the State University at Bloomington, Monroe county, Indiana, a may not be required for the use of said University and the law department connected therewith, and use the same for said college and from time to time make such changes in the same, as in thei judgment, will be for the best interests of said University, law department and college, as will best promote the interests of all an injure neither.

Sec. 8. Said Board of Trustees are hereby vested with full powe to transact all business directly or indirectly, which may be require of them, in order to carry this act into full force, and which may b necessary, in order to receive all benefits which can possibly arise b virtue of said act of Congress, approved July 2, 1862, as aforesaid.

Sec. 9. So soon as sufficient funds can be realized by the interest on the sale of lands as hereinbefore stated, or on said stocks as aforesaid, said Board of Trustees shall select and appoint such suitable Professors and Instructors for said College as in their judgment may be necessary to teach in all the various departments, as required by said act of Congress, approved July 2, 1862, as aforesaid, and to pay them such reasonable salaries as in their judgment will be sufficient to command the ablest and most experienced teachers and professors in their respective departments.

Sec. 10. Such Professors and Instructors, together with the President of the Indiana University, who shall also be President of said College, shall be styled the Faculty of the Indiana State Agricultural College. The Trustees, as aforesaid, shall prescribe the general duties of said President, Professors and Instructors, and make such other regulations in connection with said University, so that said University and College may in all things work harmoniously together, as in their judgment will be for the best interests of both; and, also, to make provision for the conferring of literary and scientific degrees in said College, and the evidencing of the same by proper diplomas.

Sec. 11. Tuition in said College shall be free; and said Board of Trustees shall make provision whereby all students attending said University and College shall have the mutual benefits of each, and shall see that all arrangements, so made by them, are strictly complied with, so that the greatest possible amount of good may be received by each student attending said University and College.

Sec. 12. No religious qualification shall be required of any Trustee, officer, or student, as a condition for admission to any privilege in said College or University, and no sectarian tenets shall be inculcated by its Professors or Instructors.

Sec. 13. The Trustees shall prepare and make an annual report of the progress of the College, and of the general administration of the trust, in which, together with the names, residences, and classification of the students, they shall record any discoveries, improvements, or interesting experiments made under the auspices of said Colleges, with their costs and results, and such other matters as are deemed of sufficient importance, including State, industrial, and economical statistics, which report shall be made to the Governor of the State, who shall cause five thousand copies thereof to be published for the use of the people of the State; and a copy shall be by him transmitted to each of the other Colleges which may be endowed in

a similar manner by said act of Congress, and a copy to the Secretary of the Interior of the United States of America.

Sec. 14. Said Trustees shall make such provisions from time to time, in reference to the care and management of the farm, which the citizens of said county of Monroe may hereafter deed to them as aforesaid, as to require the same to be preserved for said College in the best possible manner, and to require all experiments to be made by said Faculty, Instructors and students of said College in reference to agriculture and the mechanic arts, as in their judgment will fully carry out the intentions and provisions of said act of Congress of July 2d, 1862, as aforesaid, so as to make the same most beneficial and useful to said State.

Sec. 15. The Governor, Lieutenant Governor, Speaker of the House of Representatives, Judges of the Supreme Court, Superintendent of Public Instruction, President and Secretary of the State Board of Agriculture, shall be a Board of Visitors for said College, any three of whom shall form a quorum for business, and they shall visit said College at its regular annual commencement.

Sec. 16. Such Board of Visitors shall examine the propriety o the College, its farm, its stock and implements of agriculture, it course of study, discipline and training, its finances, and the genera management of the trust committed to the Trustees. They shal recommend such changes as they may think beneficial. The book and accounts of the Trustees, and of the College, shall be open fo their inspection, and they shall report the result of their examina tion to the Governor, who shall lay the same before the Genera Assembly at its next regular session.

Sec. 17. Said Board of Trustees, in their corporate capacity, sha have full power to sue and be sued, in reference to all matters every kind and description whatever, affecting said Indiana Sta Agricultural College, which may, or can, arrise under this act or sa act of Congress of July 2d, 1862, as aforesaid, as they may or c for all matters relating to the Indiana University, by virtue of the a of the General Assembly of the State of Indiana, approved June 1 1852, entitled "an act providing for the government of the Sta University, the management of its funds, and for the disposition the lands thereof," and said Board of Trustees, in the management a government of said College, shall be controlled in all matters by t provisions of said act of the General Assembly, approved June 1852, as aforesaid, whenever the same is applicable and does n conflict with this act.

Sec. 18. No part of the principal of said fund belonging to said College, or the interest arising therefrom, shall be taken, kept or in any manner appropriated by any officer, or person, as fees or charges for the management, disbursement or safe keeping of said principal and interest, or either of them, except as in this act provided.

Sec. 19. All laws inconsistant with this act, are hereby repealed.

Sec. 20. It is declared that an emergency exists for the immediate taking effect of this act, and the same shall be in force from and after its passage.

Mr. Buskirk moved to make the bill the special order for the day for Tuesday morning next at 10 o'clock.

Which was agreed to.

SPECIAL ORDERS FOR THE DAY.

Mr. Newcomb, by consent, called up House bills Nos. 277, 278, 279 and 280.

On motion by Mr. Newcomb, said bills were made the special order of the day for Monday next at 2 o'clock, P. M.

The hour having arrived for the consideration of House bill No. 285, the same was taken up.

House bill No. 285. A bill to provide a State Debt Sinking Fund, for the payment of the principal, and interest of the War Loan Bonds, and five and two and one-half per cent. stocks of the State therein named; perscribing duties of the Auditor, Treasurer, and Agent of State, in relation thereto; providing for a Clerk of the Sinking Fund, and fixing his salary, and providing a penalty for the violation of its provisions, and declaring an emergency, for the immediate taking effect of the same.

The question being shall the bill be read a third time?

On motion, by Mr. Brown,

The House adjourned.

2 o'clock p. m.

The House met.

Mr. Henricks in the Chair.

The Speaker laid before the House the following communication from the Warden of State Prison North:

Northern Indiana State Prison,
Michigan City, Dec. 4th, 1865.

To the Honorable Members of the House of Representatives:

I have the honor to report to your honorable body my answer to your resolution of the 29th of November, 1865, to-wit:

"That the Warden of the State Prisons respectively, be instructed to report to this House as early as possible."

"*First.* The average expense per day for provisioning each prisoner in their charge, during the month of October last."

In reply I would respectfully state that the average expense per day for provisioning each prisoner, under my charge during the month of October last, was twenty-two and one-fifth cents."

"*Second.* The average number of days each prisoner, working under contract, has labored for the months of August, September, and October 1865."

In answer I would respectfully state that the average number of days each prisoner labored in the month of August 1865, was twenty-five days, in the month of September, 1865, was twenty-four and one-seventh days, and in the month of October, 1865, twenty-four and one-third days.

"*Third.* A copy of contract under which their prisoners are now working; also, copies of contract for use of motive power used in prison."

I hereby append copies of contract under which the prisoners are now working, to-wit: Contract with Jones, Chapin & Co., marked

(A); contract with Murray & Lander, marked (B). The contract for use of engine, the only motive power belonging to the prison, is included in the contract for prison labor, with Jones, Chapin & Co., marked (A).

All of which is most respectfully submitted by

Your obedient servant,

(Signed) THOS. WOOD,

Warden Northern Indiana State Prison.

[A]

COPY OF CONTRACT WITH JONES, CHAPIN & CO.

THIS AGREEMENT made and entered into this 1st day of April, 1864, by and between James H. Swaar, Thomas Tigar and R. S. Hastings, acting Board of Control of the Northern Indiana State Prison, located at Michigan City, in the State of Indiana, of the first part, and Francis E. Jones, of Chicago, Volney Chapin, Sen., of Ann Arbor, in the State of Michigan, and Volney Chapin, of Chicago, doing business under the name and firm of Jones, Chapin & Co., of the second part:

Witnesseth, That the party of the first part, acting Board of Control aforesaid, have this day leased and let to the party of the second part, the following number of convicts, and in the following manner, to-wit: The party of the second part are to have thirty or more hands or convicts, (that have been heretofore employed by Messrs. Hayward & Dewolf,) and other convicts that may come to the prison, as the Warden and the party of the second part may agree, for the term of four (4) years from the date of this contract, at the price of seventy-six (76) cents each per day; and, further, that the Warden of the prison shall furnish a guard to see to said convicts; and, further, that the foreman, furnished by the party of the second part, shall keep an exact account of the time of the convicts, and shall compare, each night, with the guard, who shall also keep an account: and said account of work and overwork shall be rendered to the Clerk of the prison, at least at the end of each month. The party of the second part shall put up all their own machinery, excepting the engine, which shall be furnished by the party of the first part; but the party of the second part shall keep the engine in good repair, and, should any accident happen, shall repair it as soon as possible. The party of the first part shall furnish a fireman or helper. In taking

in men that are not coopers, the party of the second part shall pay, for the first month, thirty-eight cents per day; for the second month, fifty-seven cents per day, and for the third month, seventy-six cents, or full price, per day; and, further, that the task per day for said convicts is not to be made by the party of the second part without consulting the Warden. The foreman, furnished by the party of the second part, shall be subject to be discharged by the Warden for the violation of any of the prison rules; and, at the end of each month, the Clerk of the prison shall make out a bill for the work and overwork done during each month, and, when said bill shall be presented to the party of the second part, they shall pay the same immediately. The party of the first part are to board and clothe said convicts, at the expense of the State; and, further, that the party of the second part shall have the engine and room at two dollars and fifty cents per day; also, the west brick building, and room in the prison yard to put such of their materials as may be directed by the Warden; and, that in the working of said convicts, they shall be worked within the walls of said prison, and under the control, rules, and discipline now governing said prison convicts, or which may be hereafter adopted by the said Board of Control; and the guards that shall be put over said convicts shall be appointed by the Warden of said prison, or he may be detailed from the regular guards of said prison.

The party of the second part agree to pay full time for the working days of each month, whether they shall furnish employment for said convicts or not, unless the convict is sick or disabled in some way, and in that case, or while the convict is sick or disabled, the party of the second part shall not pay. And it is further agreed that when any of said convicts shall have acquired a sufficient knowledge of the coopering business, (or any other business carried on by the party of the second part), to be allowed tasks, by section 11 of the General Laws of Indiana of the acts of 1857, approved March 7, of said year, that they, the convicts, shall have tasks, and be paid a compensation for their overwork that shall be agreed upon by the Warden and the party of the second part; and it is further agreed that if anything transpires, during the four years, that the State may want to go on with the improvements of said prison, that the party of the first part shall have the privilege of withdrawing all the convicts from the party of the second part, down to the number of thirty, and that the party of the second part shall have the privilege

of retaining such convicts as they choose, to the number of thirty aforesaid.

In witness whereof the parties have hereunto set their hands and seals the day and year first above written.

(Signed) V. CHAPIN,
FRANCIS E. JONES,
V. CHAPIN, JR.

Know all men by these presents, That we, Francis E. Jones, of Chicago; Volney Chapin, Sr., of Ann Arbor, Michigan; Volney Chapin, of Chicago, and Daniel S. Depue, of Valparaiso, Indiana, are held and firmly bound unto James H. Swaar, Thomas Tigar, and R. S. Hastings, acting Board of the Northern Indiana State Prison, in the sum of three thousand dollars, for the payment of which we do hereby bind ourselves, our heirs, executors, and administrators and assigns. Sealed with our seals and dated this first day of April, 1864.

The condition of the above obligation are such that, whereas, Francis E. Jones, Volney Chapin, Sr., Volney Chapin and Daniel S. Depue, have this day entered into an agreement with James H. Swaar, Thomas Tigar, and R. S. Hastings, acting Board of Control of the Northern Indiana State Prison, to hire or work thirty (30) or more convicts of said Prison, for the term of four years; and to do and perform certain other items mentioned in said contract. Now, if the said Francis E. Jones, Volney Chapin, Sr., Volney Chapin and Daniel S. Depue, shall and do perform in each and every particular as set forth in contract aforesaid, then this obligation is to be null and void; otherwise to be and remain in full force and virtue.

(Signed) V. CHAPIN,
FRANCIS E. JONES,
V. CHAPIN, SR.,
DANIEL S. DEPUE.

[B]

COPY OF CONTRACT WITH MURRAY & LANDON.

THIS AGREEMENT, made and entered into this first day of December, A. D. 1864, between James H. Swaar, Thomas Tigar, and R. S. Hastings, acting Board of Control of the Northern Indiana State Prison, at Michigan City, in the State of Indiana, of the one part,

and Elijah Murray and Rufus W. Landon, of the City of Niles, in the State of Michigan, of the other part:

Witnesseth, That the said Board of Control have this day leased and let to the said party of the second part, the following number of convicts, and in the following manner, to-wit: the party of the second part are to have the privilege of selecting such of the mechanics that are now among the convicts in said Prison, to the number of fifteen, for which they are to pay the party of the first part seventy (70) cents each per day; and further, that the party of the second part are to take common laborers as follows: for the first month they (the said convict laborers,) are to receive thirty-five (35) cents per day each; for the second month fifty-two and one-half ($52\frac{1}{2}$) cents each per day; and for the third month they are to receive seventy (70) cents each per day, or full price; and the party of the second part shall have the privilege of said convicts to the number of forty, including the first fifteen; and it is further agreed between the parties that if there is not mechanics now in said Prison to the number of fifteen, that the party of the second part shall take of the common laborers to make up the number of fifteen, and that they the party of the second part, shall take of the convict mechanics as they may come into the Prison, until they shall have selected to the number of fifteen, so that they shall have to the number of fifteen that are mechanics, and the price each per day to be seventy cents as aforesaid; and it is further agreed between the parties that there shall be kept, by some suitable person, a daily account of the number of days each convict works, to be rendered at the end of each week, and at the end of each month the money is to be paid for the services of said convicts; and it is agreed on the part of said Board of Control, (the party of the first part,) that the convicts so let and leased as aforesaid, shall be able bodied men, and capable of performing manual labor, and shall be selected by the Warden of said Prison with the consent and approval of the party of the second part; and it is further agreed by the party of the first part, that they will board said convicts, and employ a suitable number of guards for their government and safety; and it is further agreed between the parties, that the party of the second part shall have the brick building known as the Wagon Shop, the Blacksmith Shop and the Engine, with a fireman; said engine to be $2.50 per day, and that in the working of said convicts, they shall be worked within the walls of said Prison, and under the control, rule and discipline now governing said prison convicts, or which may be hereafter adopted by the said Board of Control, and that the guard that shall

be put over said convicts shall be appointed by the Warden of said Prison, or may be detailed from the regular guards of the Prison; the party of the second part agree to pay full time for the working days of each month, whether they shall furnish employment for said convicts or not, unless the convict be sick or disabled in some way, and in that case and while the convict is sick or disabled, the parties of the second part shall not pay; and it is further agreed that when said convicts or any of them shall have acquired a sufficient knowledge of the business that they may hereafter be employed in by the said party of the second part, to be allowed to take tasks, by section 11 of the general laws of the State of Indiana of the acts of 1857, approved March 7, of said year; that they shall have tasks and be paid a liberal compensation for their overwork; and it is further agreed that if anything transpires that the State may want to go on with the buildings of the Prison, that the party of the first part shall have the privilege of withdrawing all the convicts to the number of twenty, and that the party of the second part shall have the right to return such men as he chooses, to the number of twenty aforesaid. The said contract to continue and run for four years from date; and for the faithful performance of the contract the parties are each to the other bound in the penal sum of twenty-five hundred dollars, to be paid by either of the parties failing to perform said contract, as damages, this day agreed upon and liquidated between said parties.

In witness whereof the parties have hereto set their names the day and year first above written.

(Signed) ELIJAH MURRAY,
RUFUS W. LANDON.

On motion by Mr. Griffith, the foregoing report was referred to the Committee on State Prison North.

The Speaker laid before the House the following communication from the Auditor of State:

OFFICE OF AUDITOR OF STATE,
Indianapolis, December 8, 1865.

HON. JOHN U. PETTIT,

Speaker of the House of Representatives,

SIR:—In compliance with the resolution adopted by the House, on the 5th inst., I have to report the expenditures in account of the Northern State Prison, as follows:

CURRENT EXPENSES.

For the fiscal year ending October 31, 1859	$3,225 54
For the fiscal year ending October 31, 1860	45,389 56
For the fiscal year ending October 31, 1861	19,593 88
For the fiscal year ending October 31, 1862	36,339 03
For the fiscal year ending October 31, 1863	1,221 66
For the fiscal year ending October 31, 1864	2,300 00
For the fiscal year ending October 31, 1865	115,173 20
Total	$273,242 87

From which deduct,

Receipts from hire of convicts for 1862	$3,294 87
Receipts from hire of convicts for 1865	17,719 84
Total	$21,014 71
Total net cost of expenditures for seven years	$252,228 16

In explanation of the above figures, it is unnecessary to remark that the current expenses of the prison for the years 1863 and 1864, was paid by the Governor through the Financial Bureau, and are consequently not included, and that the expenditures for the fiscal year 1865, include some $90,000 indebtedness, which had accrued principally between July 1, 1862, and March 10, 1863.

The expenditures on account of construction, have been as follows :

For the fiscal year ending October 31, 1860	$27,312 62
For the fiscal year ending October 31, 1861	7,722 21
For the fiscal year ending October 31, 1865	35,417 69
Total	$70,417 69

Respectfully submitted,

T. B. McCARTY,

Auditor of State.

Which was referred to the Committee on State Prison North.

A message from the Senate, by Mr. Wilson, their Secretary :

MR. SPEAKER:

I am directed by the President of the Senate to inform the House

of Representatives, that the Senate has concurred in the following engrossed House amendments, to engrossed Senate bill No. 15:

To amend section 1, by striking out all after the word "corporation," in line 27, and insert in lieu thereof, amended section 14.

To further amend section 3, by adding after the word "county," in line 50, the following: "and in each county named in this bill."

To further amend section 9, by adding after the word "report," in line 144 the following—separating said claims into the following classes:

1st. Claims for property taken, destroyed or injured by the rebels.

2d. Claims for property taken, destroyed or injured by the Union forces under command of Federal officers.

3d. Claims for property taken, destroyed or injured by Union forces not under command of United States officers, with a statement showing specifically in each case, under what circumstances, and by what authority such property was so taken, injured or destroyed."

To amend section 10 by striking out the word "eight," and inserting the word "six."

And that the Senate has refused to concur in all other engrossed House amendments to the said bill.

The Speaker laid before the House the following communication from the Governor, with accompanying letter from Charles Butler:

STATE OF INDIANA, EXECUTIVE DEPARTMENT,
INDIANAPOLIS, December 8, 1865.

HON. JOHN U. PETTIT,
Speaker of the House of Representatives:

SIR: In compliance with the resolution of the House I herewith transmit a copy of the letter addressed to Gov. Morton by Chas. Butler Esq. in relation to the Public Debt of Indiana.

Respectfully your obedient Servant,
CONRAD BAKER,
Lieut. Governor, Acting as Governor.

CHICAGO, February 8, 1865.

HON. O. P. MORTON:

MY DEAR SIR: In reply to your inquiry respecting the understanding in regard to the payment of the registered debt of Indiana created under the acts of January 19, 1846 and the suplemental act of January 1847, known as the Public Debt Acts, I would state that a reference to the proceedings of the General Assembly for the session of 1845-6, in reference to the public debt, the report of Mr. Secrest of the joint committee, to whom it was referred, and who reported the bill, the provisions of the act itself and particularly the provisions of the act of 1847, which latter act was passed as declared on the face of it "to demonstrate the good faith of the State of Indiana" and to induce confidence on the part of the public and of her creditors in particular, and to secure the principal of adjustment as provided for and intended in the first bill, all furnish the clearest and most satisfactory proof that it was intended that the debt would be fully paid, principal and interest at the end of the 20 years if not before. The bill contemplated a revenue tax on property of 25 cts. on the $100, and a poll tax of 75 cts., the product of this tax as shown by the table appended to the report, it was believed would be ample to cover the interest after 1851, and allowing it to operate on the increase of assessable property and of polls (the former of which was estimated at only six millions annually) it was shown that after a few years it would yield a surplus to be applied towards the payment of the principal, and that the operation would be to satisfy both principal and interest by the time of maturity. It must be remembered that the people were then very anxious to provide for the ultimate payment of the principal. I may say they manifested an intense desire to provide for it, and get it out of the way; and you will see that by the 14th section of the act of 1847 which I beg you to read carefully as embodying the intent, and the pledged faith of the State on this point, and you will find that the General Assembly then pledged itself solemnly that the provisions made by taxation and otherwise in the original and supplemental bills for the payment of the debt, principal and interest should be and "remain inviolate," and in force until these objects were accomplished, this pledge as you will see contemplated the continuance of the taxes above mentioned and the application of the produce of them to the specific objects named till the debts were paid and you have only to consider that if the pledge

embodied in this section had been kept according to its spirit and intent, the whole debt principal and iterest would be paid off at this day, for the increase of assessable property and of polls has greatly exceeded the calculations and the anticipations which were then made and indulged.

One, at this day, can hardly conceive of the exhausted and impoverished condition and the utter helplessness of the State of Indiana at that time, the reports of the State officials in the several departments from 1839-40 to 1845, and the legislative acts passed during those years, the reports on the public debt bill, the debates on the same bill, and the recitals and provisions of the bill itself will convey some knowledge and shed much light on the subject, and out of this established and recognized inability grew the arrangement adapting the burden to the back and leveling down the rate of interest to the then impoverished and disabled condition of the State, it will be perceived that no interest was allowed on past due coupons and the principal and interest were funded to a period sometime ahead, when it should begin to run, and then at the small rate of $2\frac{1}{2}$ per cent. on the coupon portion of it, and keeping it then for a fifth of a century to allow of growth and increase, and sufficient ability to pay it off; or, if refunded, then to do it on a proper basis and at a rate of interest which should indicate the ability as well as the good faith and honor of the State.

It was not expected that the State, in 1866, would take any advantage of, or desire to hold on to any arrangement graduating rates of interest which grew out of her necessities in 1845–6–7. Those acts, as has been stated, grew out of and are evidence of her necessities—I might say extremities—which the creditors of the State recognized in a truly noble and liberal spirit, and by concessions cheerfully made expressive of their sympathy. The action of the State in 1866, in respect of these same matters, should be prompted by and be expressive of her prosperity, ability and grateful appreciation.

It is proper that I should add here, that the arrangement made by the State of Indiana by the acts of 1846 and 1847, for the adjustment of the public debt and the completion of the Wabash and Erie Canal to Evansville, was an entire and single arrangement, the design of which was, as declared in the acts and in the report of Mr. Secrest, to provide for and secure the payment of the whole debt, principal and interest, the one-half of it by taxation, the other half by a pledge of the Canal, its tolls and revenue, and lands in trust as security, and upon this trust the General Assembly put the broad seal of the

State's pledged faith that the security thereby provided should be and remain inviolate forever until that portion of the debt, principal and interest charged on it, should be paid and discharged out of its tolls, revenues and lands, or assumed or paid by the State, the right to do which was fully and carefully reserved to the State. In other words, it was a mortgage which the State reserved the right to discharge and thus redeem the canal after twenty years.

I regret that I am constrained to write this letter under a pressure, and from home, and that I have not before me all the necessary documents to refer to, and that it must be necessarily brief; but the facts stated and the references made will, I trust, enable you to gather the information desired as to the understanding and expectation which were had and formed at the time of the passage of the acts referred to. At another time I propose to give to the people of Indiana the history, in full, of a transaction or epoch in the history of the State, full of interest to them, and deeply affecting her character as a State.

With great respect I am, dear sir,

Truly your obedient servant,

CHARLES BUTLER.

Mr. Brown moved to lay the communication on the table, and that 200 copies be printed.

Messrs. Burwell and Brown demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Atkinson, Boyd, Branham, Brown, Buskirk, Cowgill, Davidson, Ferris. Gleason, Gregg, Gregory of Warren, Griffith, Hogate, Humphreys, Kilgore, Litson, Lockhart, McVey, Newcomb, Perigo, Prather, Rhoads, Sabin, Shoaff of Jay, Sim, Stewart, Stivers, Stuckey, Trusler, Upson, Weikel, Woods and Mr. Speaker—33.

Those who voted in the negative were,

Messrs. Bird, Brown, Burwell, Glazebrook, Goodman, Groves, Hamrick, Hargrove, Harrison, Henricks, Hunt, Lane, Lemon, Lopp, Meredith, Miller, Milroy, Montgomery, Osborn, Richards, Shoaff of Allen, Shuey, Spencer, Stringer, Sullivan of P. and V., Welch, Wright and Zeigler—28.

There being no quorum present, a call of the House was ordered, when the following members answered to their names:

Messrs. Atkinson, Bird, Boyd, Branham, Brown, Burwell, Buskirk, Cowgill, Crook, Davidson, Dunham, Ferris, Glazebrook, Gleason, Goodman, Gregg, Gregory of Warren, Griffith, Groves, Hamrick, Hargrove, Harrison, Henricks, Hogate, Humphreys, Hunt, Kilgore, Lane, Lasselle, Lemon, Litson, Lockhart, Lopp, Meredith, Miller, Milroy, Montgomery, McVey, Newcomb, Osborn, Patterson, Perigo, Prather, Reese, Rhoads, Richards, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Spencer, Stewart, Stivers, Stringer, Stuckey, Sullivan of P. and V., Trusler, Upson, Weikel, Welch, Wright, Woods, Zeigler and Mr. Speaker—65.

The doors were then closed, and the Doorkeeper ordered to send for absentees.

Mr. Spencer moved that the House do now adjourn.
Which was not agreed to.

Mr. Brown moved that the House do now adjourn.
Which was not agreed to.

Mr. Burwell moved that the House do now adjourn.
Which was not agreed to.

Mr. Boyd moved that the House do now adjourn.
Which was not agreed to.

Pending the proceedings under the call,

On motion,
The House adjourned till Monday next, at 9 o'clock, A. M.

MONDAY MORNING, 9 o'clock,
December 11, 1865.

The House met pursuant to adjournment.

The Speaker ordered a call of the House, when the following members answered to their names:

Messrs. Bird, Boyd, Brown, Burwell, Church, Crook, Davidson, Dunham, Ferris, Glazebrook, Gleason, Goodman, Gregg, Griffith, Groves, Hargrove, Henricks, Higgins, Hogate, Hoover, Hunt, Lane, Lasselle, Lemon, Lockhart, Lopp, Milroy, Montgomery, McVey, Newcomb, Osborn, Patterson, Perigo, Rhoades, Richards, Sabin, Shoaff of Allen, Shuey, Sim, Spencer, Stewart, Stivers, Stringer, Stuckey, Trusler, Upson, Weikel, Welch, Wright, Woods and Mr. Speaker—52.

There being no quorum present,
On motion by Mr. Newcomb, the House adjourned

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2 o'clock, p. m.

The House met.

The clerk proceeded to read the Journal of Saturday, when, on motion by Mr. Burwell, its further reading was dispensed with.

Mr. Rhoades from the Joint Committee on enrolled bills, made the following report:

Mr. Speaker:

The Joint Committee on Enrolled Bills have examined and compared Enrolled Acts, House of Representatives, Nos. 78 and 106 with the engrossed copies thereof, and direct me to report them, in all respects, correctly enrolled.

The Speaker announced the following select committee on House bill No. 308:

Messrs. Buskirk, Abbett, Boyd, Humphreys and Veach.

The Speaker announced that he had signed House bills No. 106 and 78.

SPECIAL ORDER.

The hour having arrived for the special order,

House bill No. 277. A bill to amend sections 2 and 5, of an act entitled, "an act providing for an organization of Circuit Courts, the election of judges thereof, and defining their powers and duties," approved June 1, 1852; and providing for Criminal and Civil Circuit Courts.

Was taken up.

Mr. Newcomb moved to amend said bill as follows:

Add at the end of section 1, the following words, to-wit: "And in all counties in which the Criminal Circuit Courts are organized, the Circuit Courts shall have no criminal jurisdiction, but shall have only the jurisdiction of the Circuit Court in civil cases."

Which was agreed to.

Mr. Newcomb moved that the bill be considered as engrossed and read a third time.

Which was agreed to.

House bill No. 277 was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Atkinson, Bird, Bonner, Boyd, Branham, Brown, Burnes, Burwell, Buskirk, Church, Cowgill, Croan, Crook, Davidson, Ferris, Gleason, Goodman, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Hargrove, Harrison, Henricks, Higgins, Hogate, Hoover, Howard, Humphreys, Hunt, Kilgore, Lane, Lemon, Lockhart, Lopp, Major, Miller, Milroy, Montgomery, McVey, Newcomb, Olleman, Osborn, Perigo, Prather, Reese, Rhoads, Richards, Sabin, Shoaff of Allen, Shuey, Sim, Spencer, Stewart,

Stivers, Stuckey, Sullivan of P. and V., Thatcher, Trusler, Upson, Veach, Weikel, Welch, Woodruff, Wright, Woods, Zeigler and Mr. Speaker—70.

Those who voted in the negative were,

Messrs. Glazebrook, Richardson, Stringer and Sullivan of Scott—4

The question being, shall the title, as read, stand as the title of said bill,

It was so ordered.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

House bill, No. 278. A bill creating the Sixteenth Judicial Circuit, and providing for the election of a Judge and Prosecuting Attorney thereof, and declaring its jurisdiction, and providing for the transfer of actions thereto,

Was taken up.

Mr. Newcomb moved to amend as follows:

Add, at the end of section 5, "and the persons convicted of felony in such Court, and sentenced to hard labor in the State prison, shall be promptly forwarded to the prison in which they are sentenced to be confined: *Provided*, That where there are not more than three convicts under such sentence at one time, they shall not be forwarded to such prison until the end of the term at which they were convicted, unless by order of the Court."

Which was agreed to.

Mr. Newcomb moved that the bill be considered as engrossed, and read a third time.

Which was agreed to.

House bill, No. 278, was read a third time, and the question being shall said bill pass?

Those who voted in the affirmative were,

Messrs. Atkinson, Bonner, Boyd, Branham, Brown, Burnes, Bu well, Buskirk, Church, Croan, Crook, Davidson, Ferris, Gleaso Goodman, Gregg, Gregory of Montgomery, Gregory of Warre

Griffith, Groves, Hamrick, Hargrove, Harrison, Henricks, Higgins, Hogate, Hoover, Howard, Hunt, Kilgore, Lane, Lemon, Lockhart, Major, Miller, Milroy, Montgomery, McVey, Newcomb, Olleman, Osborn, Perigo, Pinney, Prather, Reese, Rhoads, Richards, Richardson, Sabin, Shoaff of Allen, Shuey, Sim, Spencer, Stewart, Stivers, Stringer, Stuckey, Sullivan of P. and V., Thatcher, Trusler, Upson, Veach, Weikel, Welch, White, Woodruff, Wright, Woods, Zeigler and Mr. Speaker—70.

Those who voted in the negative were,

Messrs. Dunham, Glazebrook, Humphreys, Lopp and Sullivan of Scott—5.

The question being, shall the title, as read, stand as the title of the bill?

It was so ordered.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

House bill, No. 279. A bill to amend sections nine and ten of an act entitled "an act prescribing the powers and duties of Justices of the Peace in State prosecutions,"

Was taken up.

Mr. Newcomb moved that said bill be considered as engrossed, and read a third time.

Which was agreed to.

So House bill, No. 279 was read a third time, and the question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Atkinson, Bird, Bonner, Boyd, Branham, Brown, Burnes, Burwell, Buskirk, Church, Cowgill, Cox, Croan, Crook, Davidson, Ferris, Foulke, Gleason, Gregg, Goodman, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Hargrove, Harrison, Henricks, Higgins, Hogate, Hoover, Howard, Humphreys Hunt, Kilgore, Lane, Lockhart, Major, Miller, Milroy, Montgomery, Newcomb, Olleman, Osborn, Perigo, Pinney, Prather, Reese, Rhoads, Richards, Richardson, Sabin, Shoaff of Allen, Shuey, Sim, Spencer,

Stewart, Stivers, Stringer, Stuckey, Sullivan of P. & V., Thatcher, Trusler, Upson, Veach, Weikel, Welch, White, Woodruff, Wright, Woods, Zeigler and Mr. Speaker—72.

Those who voted in the negative were,

Messrs. Dunham, Ferris, Lemon, Lopp and Sullivan of Scott—5.

The question being shall the title, as read, stand as the title of said bill?

It was so ordered.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

House bill No. 280. A bill to amend section 14 of an act entitled "an act to limit the Grand Jurors, and to point out the mode of their selection, defining their jurisdiction, and repealing all laws inconsistent therewith, approved March 5, 1852.

Was taken up.

Mr. Newcomb moved to amend said bill as follows:

Amend section fourteen by adding after the words "circuit court" in the first line, the following: "Except as otherwise provided for by law.

Which was agreed to.

Mr. Newcomb moved that the bill be considered as engrossed and read a third time.

Which was agreed to.

So House bill No. 280, was read a third time, and the question being shall said bill pass?

Those who voted in the affirmative were,

Messrs. Atkinson, Bird, Bonner, Boyd, Branham, Brown, Burnes, Burwell, Buskirk, Church, Cowgill, Cox, Crook, Davidson, Ferris, Foulke, Gleason, Goodman, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hargrove, Harrison, Henricks, Higgins, Hogate, Hoover, Howard, Kilgore, Lane, Lemon, Lockhart, Lopp, Major, Miller, Milroy, Montgomery, McVey, Newcomb, Olleman,

Osborn, Perigo, Pinney, Prather, Reese, Rhoads, Richardson, Sabin, Shoaff of Allen, Shuey, Sim, Spencer, Stivers, Stringer, Stuckey, Sullivan of P. & V. Thatcher, Trusler, Upson, Veach, Weikel, Welch, White, Woodruff, Woods, Zeigler and Mr. Speaker—68.

Those who voted in the negative were,

Messrs. Dunham, Glazebrook, Humphreys, Hunt, Richards and Sullivan of Scott—6.

The question being shall the title, as read, stand as the title of said bill?

It was so ordered.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

House bill No. 300. A bill to amend section 19 of an act entitled "an act to revise, simplify and abridge the rules, practice, pleadings and forms in criminal actions in the Courts of this State," approved June 17, 1852.

Was taken up.

Mr. Newcomb moved that it be deemed expedient to suspend the constitutional rule requiring bills to be read on three several days by sections, and that said bill be read a second time by its title, and a third time by sections now.

The ayes and noes were taken under the Constitution.

Those who voted in the affirmative were,

Messrs. Atkinson, Bonner, Boyd, Branham, Brown, Burnes, Burwell, Buskirk, Church, Cowgill, Cox, Croan, Crook, Davidson, Ferris, Foulke, Gleason, Goodman, Gregg, Griffith, Groves, Hamrick, Hargrove, Harrison, Henricks, Higgins, Hogate, Hoover, Howard, Humphreys, Hunt, Kilgore, Lockhart, Major, Miller, Milroy, Montgomery, McVey, Newcomb, Osborn, Perigo, Pinney, Prather, Rhoads, Richards, Sabin, Shoaff of Allen, Shuey, Sim, Spencer, Stewart, Stivers, Stringer, Stuckey, Sullivan of Scott, Sullivan of P. and V., Thatcher, Upson, Veach, Welch, White, Woodruff, Wright, Woods, Zeigler and Mr. Speaker—66.

Those who voted in the negative were,

Messrs. Bird, Dunham, Glazebrook, Lemon, Reese, Richardson and Weikel—7.

So it was deemed expedient to suspend said constitutional rule, and said bill was read a second time by its title, was considered as engrossed, and,

On motion,
Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Atkinson, Bird, Bonner, Boyd, Branham, Brown, Burnes, Burwell, Buskirk, Church, Cowgill, Cox, Croan, Crook, Davidson, Foulke, Gleason, Goodman, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Hargrove, Harrison, Henricks, Higgins, Hogate, Hoover, Howard, Kilgore, Lasselle, Lemon, Lockhart, Major, Miller, Milroy, Montgomery, McVey, Newcomb, Olleman, Osborn, Pirigo, Pinney, Prather, Reese, Rhoads, Richards, Richardson, Sabin, Shoaff of Allen, Shuey, Sim, Spencer, Stewart, Stivers, Stringer, Stuckey, Sullivan of Scott, Sullivan of P. and V., Thatcher, Trusler, Upson, Veach, Weikel, Welch, White, Woodruff, Wright, Woods, Zeigler and Mr. Speaker—72.

Those who voted in the negative were,

Messrs. Dunham, Glazebrook, Gregg, Humphreys and Hunt—5.

The question being, shall the title of the bill stand as read?
It was so ordered.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Rhoads moved to suspend the regular order of business and take up House bills on their third reading.
Which was not agreed to.

House bill No. 285 was taken up.

The question being, shall the bill be read a third time?

On motion by Mr. Branham,

Said bill was made the special order for to-morrow morning at 10 o'clock.

Mr. Woods moved to suspend the order of business and take up House bills on third reading.

No quorum voting, the Speaker ordered a call of the House, when the following members answered to their names:

Messrs. Atkinson, Bird, Bonner, Boyd, Branham, Brown, Burnes, Burwell, Cowgill, Cox, Croan, Crook, Davidson, Ferris, Foulke, Glazebrook, Gleason, Goodman, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Hargrove, Harrison, Henricks, Higgins, Hogate, Hoover, Howard, Humphreys, Hunt, Lane, Lasselle, Lemon, Lockhart, Lopp, Major, Miller, Milroy, Montgomery, McVey, Newcomb, Olleman, Osborn, Patterson, Perigo, Pinney, Prather, Reese, Rhoads, Richards, Richardson, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Spencer, Stewart, Stivers, Stringer, Stuckey, Sullivan of Scott, Sullivan of P. and V., Thatcher, Trusler, Upson, Veach, Weikel, Welch, White, Woodruff, Wright, Woods, Zeigler and Mr. Speaker—79.

A quorum being present, a further call of the House was dispensed with.

Mr. Kilgore obtained leave of absence on account of sickness.

Messrs. Collins and Rice also obtained leave of absence on account of sickness.

Mr. Miller moved that when the House adjourn it adjourn to meet this evening at 7 o'clock.

Which was agreed to.

The question being on the motion of Mr. Woods,

It was agreed to.

Mr. Glazebrook asked and obtained leave of absence for this evening.

House bill No. 174. "A bill for the protection of fish in the rivers, streams, lakes and ponds within the State of Indiana, except the Ohio river and Lake Michigan," with the amendments reported by the Committe on Rights and Privileges.

Was taken up.

Mr. Woods moved to except St. Joseph river.

Which was not agreed to.

Mr. Woods moved that all rivers, lakes and frog ponds in Lake county be excepted.

Which was agreed to.

The question recurring on the amendment as recommended by the committee,

It was not agreed to.

Mr. Brown moved to reconsider the vote by which the House ordered the engrossment of said bill.

Which was agreed to.

Mr. Miller moved to recommit the bill to the Committee on Rights and Privileges of the Inhabitants of the State.

Which was agreed to.

Mr. Buskirk from the select committee on House bill No. 308, by consent, made the following report:

MR. SPEAKER:

The select committee to whom was referred House bill No. 308, have had the same under consideration, and have unanimously recommended the adoption of the accompanying bill, and that said bill No. 308 be stricken out from the enacting clause, and that the accompanying bill be inserted in lieu thereof, and when so amended they recommend its passage.

Section 1. The counties of Bartholomew, Brown, Lawrence, Monroe, Green and Morgan, shall hereafter constitute the ——— Judicial Circuit, and the courts shall sit therein as follows:

In the county of Bartholomew, on the first Monday of February, and the second Monday of August in each year.

In the county of Brown, on the fourth Monday of February, and the first Monday of August in each year.

In the county of Lawrence, on the first Monday of March and September, in each year.

In the county of Monroe, on the third Monday of March and September in each year.

In the county of Green, on the first Monday of April and October in each year.

In the county of Morgan. on the third Mondays of April and October in each year.

The court shall sit in the counties of Lawrence, Monroe, Green and Morgan, two weeks each ; in the county of Brown one week, and the county of Bartholomew three weeks, if the business requires it.

Sec. 2. The counties of Ohio, Ripley, Jennings, Jefferson and Switzerland, shall hereafter constitute the First Judicial Circuit, and the courts therein shall sit therein as follows, each year :

In the county of Ohio, on the second Mondays of February and August.

In the county of Ripley, on the Mondays succeeding the courts in the county of Ohio.

In the county of Jennings, on the Mondays succeeding the courts n the county of Ripley.

In the county of Jefferson, on the Mondays succeeding the courts n the county of Jennings.

And in the county of Switzerland, on the Monday succeeding the courts in the county of Jefferson.

The court shall sit in the counties of Ohio and Jennings, two weeks ach ; in the counties of Switzerland and Ripley, three weeks each ; nd in the county of Jefferson, four weeks, if the business requires it.

Sec. 3. That the counties of Scott, Jackson, Orange, Washington, Harrison, Clark and Floyd, shall hereafter constitute the Second udicial Circuit, and the courts shall sit therein as follows, each year :

In the county of Scott, on the first Mondays of February and ugust.

In the county of Jackson, on the second Mondays of February and ugust.

In the county of Orange, on the fourth Mondays of February and ugust.

In the county of Washington, on the second Mondays of March and September.

In the county of Harrison, on the fourth Mondays of March and September.

In the county of Clark, on the second Mondays of April and October.

In the county of Floyd, on the fourth Mondays of April and October.

And the Court shall sit in the counties of Jackson, Orange, Washington, Harrison and Clark, two weeks each; in the county of Scott one week, and in the county of Floyd four weeks, if the business requires it.

Sec. 4. That the counties of Owen, Sullivan, Vigo, Putnam and Clay shall hereafter constitute the Sixth Judicial Circuit, and the Courts therein shall sit as follows, each year:

In the county of Owen, on the first Monday of February and August.

In the county of Sullivan, on the third Monday of February and August.

In the county of Vigo, on the first Monday of March and September.

In the county of Putnam, on the first Monday of April and October.

In the county of Clay, on the first Monday of May and November.

The Court shall sit in the counties of Owen, Sullivan and Clay two weeks each, and in the counties of Vigo and Putnam four weeks each, if the business requires it.

Sec. 5. The Governor is hereby authorized and required to appoint a Judge and Prosecuting Attorney for the ——— Judicial Circuit, who shall hold their offices until their successors are elected at the next annual election.

Sec. 6. All process returnable to the next term of any of the Courts aforesaid, as heretofore fixed, is hereby made returnable to the next term of the said Court, as fixed by this act, and all orders of Court, and publications, as well as recognizances, having reference to the next term of said Circuit Courts, shall be taken as hav-

ing reference to said next terms respectively, as fixed by this act, and all persons shall take notice of the times of holding said Courts, as herein fixed.

Sec. 7. Inasmuch as the Courts in the said Circuit, as fixed by this act, are about to commence, and will be holden before the regular publication of the laws of the present session of the General Assembly, it is therefore declared that an emergency exists for the immediate taking effect of this act. It shall, therefore, take effect and be in force from and after its passage and publication in the Indianapolis State Journal and Herald, and the Secretary of State is hereby directed to forward a copy of this act to each of the Clerks of said Court.

On motion by Mr. Goodman,

The House adjourned till 7 o'clock this evening.

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7 O'CLOCK P. M.

The House met.

The Speaker ordered a call of the House, when the following members answered to their names:

Messrs. Atkinson, Bird, Bonner, Boyd, Branham, Brown, Burnes, Burwell, Church, Cowgill, Cox, Croan, Crook, Davidson, Ferris, Foulke, Goodman, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hargrove, Harrison, Henricks, Hershey, Higgins, Hoover, Howard, Humphreys, Lockhart, Lopp, Major, Miller, Montgomery, McVey, Newcomb, Olleman, Osborn, Patterson, Perigo, Prather, Reese, Rhoads, Richardson, Sabin, Shoaff of Allen, Shuey, Sim, Stewart, Stivers, Stringer, Stuckey, Sullivan of P. and V., Thatcher, Trusler, Upson, Veach, Weikel, Welch, White, Woodruff, Wright, Woods, Zeigler and Mr. Speaker—65.

On motion by Mr. Prather,

A call of the House was ordered, when the following members answered to their names:

Messrs. Atkinson, Bird, Bonner, Boyd, Branham, Burnes, Caldwell, Church, Cowgill, Cox, Croan, Crook, Davidson, Ferris, Foulke, Goodman, Gregg, Gregory of Montgomery, Gregory of Warren, Groves, Hargrove, Harrison, Henricks, Hershey, Higgins, Hoover, Howard, Humphreys, Laselle, Lockhart, Lopp, Major, Miller, Milroy, Montgomery, McVey, Newcomb, Olleman, Osborn, Patterson, Perigo, Prather, Reese, Rhoads, Richardson, Sabin, Shoaff of Allen, Sim, Stewart, Stivers, Stringer, Stuckey, Sullivan of P. and V., Thatcher, Trusler, Upson, Veach, Weikel, Welch, White, Woodruff, Wright, Woods, Zeigler and Mr. Speaker—66.

There being no quorum present, the doors were ordered to be closed, and the Doorkeeper directed to send for absentees.

The Doorkeeper reported Mr. Hogate, who, on motion, was discharged from custody.

Mr. Gleason was also reported present, and was, on motion, discharged from custody.

Mr. Higgins moved to suspend further proceedings under the call. Which was agreed to.

The Speaker ordered a call of the House, when the following members answered to their names :

Messrs. Atkinson, Bird, Bonner, Boyd, Branham, Burnes, Caldwell, Church, Cowgill, Cox, Croan, Crook, Davidson, Ferris, Foulke, Gleason, Goodman, Gregg, Gregory of Montgomery, Gregory of Warren, Groves, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, Humphreys, Lasselle, Lockhart, Lopp, Major, Miller, Milroy, Montgomery, McVey, Newcomb, Olleman, Osborn, Patterson, Perigo, Prather, Reese, Rhoads, Richardson, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Stewart, Stivers, Stringer, Stuckey, Sullivan of P. and V., Thatcher, Trusler, Upson, Veach, Weikel, Welch, White, Woodruff, Wright, Woods, Zeigler and Mr. Speaker—70.

A quorum being present, a further call was dispensed with.

HOUSE BILLS ON SECOND READING.

Mr. Rhoads moved to suspend the order of business and take up House bill, No. 245.

Which was not agreed to.

House bill No. 248, was read a second time, ordered to be engrossed, and passed to a third reading.

House Joint Resolution No. 21, was taken up, read a second time, ordered to be engrossed, and passed to a third reading.

House bill No. 207, was read a second time, the amendment heretofore reported, was also read and agreed to. The bill was ordered to be engrossed and passed to a third reading.

House bill No. 290, was read a second time, and on motion of Mr. Newcomb, was indefinitely postponed.

House bill No. 299, was read a second time, ordered to be engrossed and passed to a third reading.

House bill No. 272, was read a second time, ordered to be engrossed and passed to a third reading.

House bill No. 286, was read a second time, ordered to be engrossed and passed to a third reading.

House bill No. 261, was read a second time.

Mr. Newcomb moved to strike out the emergency clause.
Which was agreed to.

The bill was ordered to be engrossed and passed to a third reading.

House bill No. 268, was read a second time.

Mr. Stewart moved to indefinitely postpone said bill.
Which was not agreed to.

The bill was ordered to be engrossed and passed to a third reading.

House bill No. 247, was read a second time.

Mr. Buskirk moved to amend by adding "Deputy or" before "Constable."
Which was agreed to.

The bill was then ordered to be engrossed and passed to a third reading.

House bill No. 77, was read a second time.

Mr. Olleman moved to strike out the emergency clause.
Which was not agreed to.

The bill was then ordered to be engrossed and passed to a third reading.

House bill No. 236, was read a second time, ordered to be engrossed and passed to a third reading.

House bill No. 293, was read a second time, ordered to be engrossed and passed to a third reading.

House bill No. 295, was read a second time, ordered to be engrossed and passed to a third reading.

House bill No. 269, was read a second time, ordered to be engrossed and passed to a third reading.

House bill No. 275, was read a second time, ordered to be engrossed and passed to a third reading.

House bill No. 297, was read a second time, ordered to be engrossed and passed to a third reading.

House bill No. 244, was read a second time, and, on motion, was laid on the table.

House bill No. 99, was read a second time.

Mr. Woods offered the following amendment:

Amend by inserting in the proper place, "that it shall be the duty of assessors to assess all the resident women over 21 in his township."

Mr. Miller moved to lay the amendment on the table.
Which was not agreed to.

The question being on the amendment.
It was not agreed to.

The bill was ordered to be engrossed and passed to a third reading.

House bill No. 136, was read a second time, ordered to be engrossed and passed to a third reading.

On motion, by Mr. Groves,

The House adjourned.

TUESDAY MORNING, 9 o'clock, }
December 12, 1865. }

The House met.

By unanimous consent, Mr. Henricks was called to the Chair.

The Clerk proceeded to read the Journal of yesterday, when,

On motion by Mr. Spencer,
Its further reading was dispensed with.

REPORTS OF COMMITTEES.

Mr. Miller, from the Committee on the Organization of Courts of Justice, made the following report:

Mr. Speaker:

The Committee on the Organization of Courts, to whom was referred House bill No. 259, have had the same under consideration, and direct me to report it back to the House, and recommend that it do pass.

Which report was laid on the table.

Mr Griffith, from the Committee on the State Prison North, made the following report:

Mr. Speaker:

The Committee on the State Prison North have instructed me to submit to the House the following report:

The committee have had under consideration the Report of the Board of Control of said Prison, and also the Report of the Superintendent of Construction.

Your committee have not visited said Prison, and cannot speak from personal observation, but, with a proper desire to fill the position assigned to them, they have had before them, in person, R. W. Epperson, said Superintendent, as well as his Report, and from candid consideration and mature deliberation, have arrived at the following conclusions:

It may seem improper, at this time, that any additional appropriation be asked for said Prison, when so many necessary demands are

made upon the Treasury of the State of Indiana. But we cannot forget that, however onerous the burthen which may be pressing upon the people at this time may be, nevertheless so much is due to the interests of society and the general good of the State, that we are compelled to foster and sustain, in a proper way, the Institutions already erected by her, and which have interests and prosperity of the State solely in view.

The Board of Control ask for additional appropriations to the amount of ninety-seven thousand seven hundred and forty-seven dollars, to complete the work already begun. The Legislature, at its last session, appropriated the sum of eighty-two thousand dollars for the completion of the outer walls, sentry towers, erection of offices, and construction of the south wing of the cell house. Sixty thousand dollars was appropriated for the last named purpose, one-half of which was to be expended in 1865, and one-half in 1866. Of the gross amount of appropriations made, fifty-three thousand dollars have been used, leaving for the year 1866 some twenty-nine thousand dollars unexpended. Of the appropriations made at the last session, five thousand dollars were diverted from use of main walls and towers for the completion of offices, as it was found necessary at the time of executing the plan for the construction of offices, that they be both completed at the same time; consequently the diversion of said fund from its original purpose. There then remains an apparent necessity for an appropriation of sixteen thousand eight hundred dollars for the completion of the main walls and sentry towers; otherwise the unprotected condition of the walls, as they now stand, will cause much loss of work already done upon them: they therefore think the appropriation necessary.

Further, the Board of Control ask for an appropriation of seventy-six thousand dollars for the completion of the south wing of the cell house and guard house, which are inseparable. Your committee, believing that security, proper subordination, the increase of crime, and convictions for the same, which is filling up said Prison very fast, demand an additional appropriation, they have concluded to recommend an additional appropriation of forty-six thousand dollars, for the completion of the cell house and guard house; making, in the aggregate, the sum of sixty-two thousand eight hundred dollars: and this we do unanimously.

We also suggest, that convict labor be used in the further construction of said Prison, and that no more contracts be entered into by the Board of Control with any parties, which shall militate against

this recommendation, unless said contracts be made more remunerative to the State than the employment of convict labor can be in the construction of the Prison.

Mr. Griffith moved to refer the report to the Committee on Ways and Means, with the following instructions:

"I move to concur in the report, and that the same be referred to the Committee on Ways and Means, with instructions to incorporate the amount of appropriation asked for in the general appropriation bill."

Mr. Groves moved the previous question.
Which was seconded by the House.

The question being, shall the main question be now put?
It was so ordered.

The question being on the motion of Mr. Griffith,

Messrs. Branham and Higgins demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Atkinson, Bird, Boyd, Branham, Burton, Caldwell, Church, Cox, Crook, Davidson, Dunham, Ferris, Foulke, Glazebrook, Gleason, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Higgins, Hogate, Hoover, Howard, James, Lane, Major, Miller, Milroy, Newcomb, Pinney, Reese, Rhoads, Riford, Roach, Shoaff of Allen, Shoaff of Jay, Sim, Stenger, Stivers, Stringer, Stuckey, Upson, Welch and Wright—44.

Those who voted in the negative were,

Messrs. Abbett, Bonner, Burnes, Burnell, Cowgill, Goodman, Hamrick, Hargrove, Harrison, Henricks, Hershey, Humphreys, Hunt, Lasselle, Lemon, Lockhart, Lopp, Montgomery, Olleman, Osborn, Patterson, Perigo, Prather, Richards, Richardson, Sabin, Shuey, Stewart, Sullivan of Scott, Sullivan of P. and V., Thatcher, Trusler, Veach, Weikel, White, Woodruff and Woods—37.

So the motion prevailed.

SPECIAL ORDER.

House bill, No. 285. A bill to provide a State Debt Sinking Fund for the payment of the principal and interest of the War Loan Bonds, and five and two and one-half per cent. stocks of the State therein named; prescribing the duties of the Auditor, Treasurer and Agent of State in relation thereto: providing for a Clerk of said Sinking Fund, and fixing his salary, and providing a penalty for the violation of its provisions, and declaring an emergency for the immediate taking effect of the same.

Was taken up, and having been previously read a third time,

The question being, shall the bill pass?

Mr. Branham moved the previous question.
Which was seconded by the House.

The question being, shall the main question be now put?
It was so ordered.

The question being, shall said bill pass?

Those who voted in the affirmative were,

Messrs. Atkinson, Bonner, Boyd, Branham, Burnes, Caldwell, Church, Cowgill, Cox, Cook, Davidson, Ferris, Foulke, Gleason, Goodman, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Henricks, Hershey, Higgins, Hogate, Hoover, James, Lane, Lockhart, Major, Miller, Montgomery, McVey, Newcomb, Olleman, Prather, Reese, Rhoads, Riford, Sabin, Shuey, Sim, Stewart, Stringer, Sullivan of P. and V., Trusler, Upson, Welch, Woodruff, Wright, Woods, Zeigler and Mr. Speaker—52.

Those who voted in the negative were,

Messrs. Abbett, Bird, Brown, Burton, Burwell, Buskirk, Croan, Dunham, Glazebrook, Gregg, Hargrove, Harrison, Howard, Humphreys, Hunt, Lasselle, Lee, Lemon, Lopp, Milroy, Osborn, Patterson, Perigo, Pinney, Richards, Richardson, Roach, Shoaff of Allen, Shoaff of Jay, Spencer, Stenger, Stuckey, Sullivan of Scott, Thatcher, Weikel and White—36.

The question being, shall the title, as read, stand as the title of said bill?

It was so ordered.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

On motion by Mr. Groves,
The House adjourned.

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2 o'clock p. m.

The House met,

And was called to order by the Clerk, and,

On motion by Mr. Wood,
Mr. Hamrick was called to the chair.

Mr. Wood moved to suspend the regular order of business and take up House bill, No. 86.

Which was agreed to.

House bill, No. 86. A bill giving the consent of the State of Indiana to, and authorizing the digging or constructing of a ditch or canal from the Little Calumet river to the Grand Calumet river, both in Lake county, in this State, and requiring the Attorney General to defend such suits or actions at law as may be brought against the parties who may be prosecuting said work.

Was taken up, and read a third time.

The question being, shall said bill pass?

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Bird, Bonner, Boyd, Branham, Brown,

Burnes, Burwell, Buskirk, Caldwell, Church, Cox, Croan, Crook, Davidson, Ferris, Foulke, Glazebrook, Gleason, Goodman, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Hargrove, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, Humphreys, Hunt, Lane, Lopp, Major, Miller, Milroy, Montgomery, Newcomb, Olleman, Osborn, Perigo, Prather, Reese, Rhoads, Richards, Riford, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Spencer, Stewart, Stenger, Stivers, Stringer, Stuckey, Sullivan of Scott, Sullivan of P. and V., Thatcher, Trusler, Upson, Veach, Weikel, Welch, White, Woodruff, Wright, Woods, Zeigler and Mr. Speaker—78.

Mr. Richardson voting in the negative.

The question being, shall the title, as read, stand as the title of said bill?

It was so ordered.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Gregory, of Montgomery, asked and obtained leave to introduce House bill, No. 319. A bill to amend the 14th section of an act entitled "an act to provide for the uniform mode of doing township business, prescribing the duties of certain officers in connection therewith, and to repeal all laws in conflict with this act," approved February 18, 1859, and declaring an emergency.

Which was read a first time, and passed to a second reading.

Mr. Brown moved to suspend the regular order of business to make House bill, No. 301, the special order for the day for to-morrow, at 11 o'clock A. M.

Which was agreed to.

Mr. Miller moved to suspend the order of business and take up message from the Senate.

Which was agreed to.

House bill, No. 47. A bill to increase the powers of the Board of Sinking Fund Commissioners, and to authorize said Board to loan any moneys belonging to said fund, and to invest any moneys belonging to said fund in Indiana State Bonds or Stocks, and providing for

the cancelling of such bonds or stocks and the reissuing of new, non-negotiable bonds or stocks, payable to said fund.

Was taken up, with the following engrossed amendments of the Senate, to-wit:

Strike out all after the word "discretion," in the seventh line of the first section, to the word "discretion" inclusive, in the 14th line of same section.

Also, strike out, in the 24th line, the words "the same," and insert the words "at the," and after the words "rate of," insert "six per cent. per annum."

Which amendments of the Senate were severally read and agreed to

Ordered, That the Clerk inform the Senate thereof.

A message from the Senate, by Mr. Wilson, their Secretary.

MR. SPEAKER:

I am directed by the President of the Senate, to inform the House of Representatives that the Senate has passed House bill No. 158 with the following engrossed Senate amendments, to-wit:

By a substitute for said bill, and "an amended title" in which the concurrence of the House is respectfully requested.

Also, that the Senate has passed engrossed House bill No. 212, entitled a bill to legalize the appraisement of the real estate made under the provisions of the act entitled "an act to provide for the appraisement of the real estate and prescribing the duties of officers in relation thereto," approved December 21, 1858.

I am further directed by the President of the Senate, to inform the House of Representatives that the Senate has refused to concur in engrossed House amendments to Senate bill No. 196, entitled "an act concerning habeas corpus.

And further, that the President has signed enrolled acts of the House, Nos. 78 and 106 and the same are herewith returned.

Mr. Milroy from the special committee on Agricultural Colleges made the following minority report:

MR. SPEAKER:

The committee to whom was referred the matters in reference to the Agricultural College, have had the same under consideration, and a minority of said committee have directed me to report that in their opinion it would be to the interest of a successful operation of said college. That the same be located in Tippecanoe county, provided the donation of the college building and lands proposed to be donated by the citizens thereof, be fully conveyed and warranted to the State to the satisfaction of the Governor and the ten thousand dollars offered, paid to the persons authorized to receive the same within three months from the acceptance of their offer by the Legislature.

JOHN B. MILROY.
HIGGINS LANE.
B. F. FERRIS.
E. T. SULLIVAN.

Which report was laid on the table.

Mr. Buskirk moved to suspend the regular order of business and take up

House bill No. 6. A bill to establish an Agricultural College, wherein shall be taught such branches of learning as are related to Agriculture, including the Mechanic Arts and Military Tactics. Also such other branches of Science and Literature, as the General Assembly or the Trustees of said college shall direct, and to appropriate funds for its endowment, support and maintenance, and to provide a Board of Trustees for its management.

The amendment heretofore reported was read.

Mr. Sim moved to strike out "Bloomington" wherever it occurs in said amendment and insert "Richmond."

Mr. Pettit moved to make said House bill No. 6, the special order for the day, tomorrow at 10 o'clock.

Which was agreed to.

Mr. Buskirk moved that when the House adjourn it meet again at 7 o'clock this evening.

Messrs. Miller and Brown demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Atkinson, Bonner, Branham, Buskirk, Caldwell, Church, Cox, Crook, Davidson, Foulke, Gleason, Gregg, Gregory of Warren, Groves, Henricks, Hershey, Higgins, Hoover, Howard, Lasselle, Lee, Litson, Lockhart, Major, Miller, Montgomery, McVey, Olleman, Osborn, Prather, Reese, Rhoads, Richardson, Riford, Sabin, Shuey, Sim, Stewart, Stivers, Stringer, Stuckey, Sullivan of P. & V., Trusler, Upson, Welch, Woodruff, Wright, Woods, Zeigler and Mr. Speaker —51.

Those who voted in the negative were,

Messrs. Abbett, Bird, Boyd, Brown, Burnes, Burton, Burwell, Cowgill, Croan, Ferris, Glazebrook, Goodman, Griffith, Hamrick, Hargrove, Harrison, Hogate, Humphreys, Hunt, Lane, Lemon, Lopp, Milroy, Patterson, Perigo, Pinney, Richards, Shoaff of Allen, Shoaff of Jay, Stenger, Sullivan of Scott, Veach, Weikel and White—34.

So the motion prevailed.

Mr Branham by unanimous consent, offered the following resolution:

Resolved, That there be a committee of three on the part of the House to act with like committee on the part of the Senate in relation to the printing of the report of the Adjutant General, under the resolution of the House adopted on the 4th of March, 1865, and that they report to this House the number of volumes, and the cost of the same, and such other information as may be necessary for the action of this in reference to the same.

Which was agreed to.

Mr. Cowgill, by consent, offered the following resolution:

Resolved, That the President of the Sinking Fund Commissioners is required to report to this House what amount of the Sinking Fund is not invested in the Bonds of the State under the laws thereof, authorizing such investment, nor distributed to the counties according to the provisions of the act, approved March 1, 1859, authorizing such distribution. How long such portion of said fund, if any there be, has remained in the hands of the Sinking Fund Commissioners, or any member thereof, drawing no interest, and earning nothing for the State, or in any way increasing said Sinking Fund. Report whether any portion of said fund is distributed amongst the members of the

Board of Sinking Fund Commissioners, and if so, how much, and to whom? What have been the earnings of such portion or portions of said fund as are not invested in bonds as authorized by law, nor distributed to the counties, and to whose benefit have the same inured?

Which was adopted.

Mr. Woods, by consent, offered the following resolution:

WHEREAS, For the purpose of reducing the expenses of the State and decreasing as much as possible the burthens of the people, it is necessary that the State should be put on a peace footing; therefore,

Be it Resolved, That the Committee of Ways and Means be required to inquire into the propriety of discontinuing all or some of the offices created and necessary in a time of war, and for the purpose of obtaining the proper information they are requested to confer with the Governor and the heads of the different Departments of the State, and if, on examination, they shall see that the expenses of such office or offices can be diminished, they shall report, by bill or otherwise, proposing such plan as to them may seem just and proper.

Which was adopted.

Message from the Senate by Mr. Wilson, their Secretary:

MR. SPEAKER:

I am directed by the President of the Senate to inform the House of Representatives that the Senate has passed the following engrossed bill of the Senate, in which the concurrence of the House is respectfully requested:

Engrossed Senate bill, No. 301, entitled "an act in reference to public buildings of counties, and the grounds belonging thereto, and prescribing the duties of County Boards and Sheriffs with reference to the same."

Also, that the Senate has passed engrossed House bill, No. 149, entitled "a bill to enable the Board of Directors of any incorporated turnpike company to change the time of holding the election of Directors."

Also, engrossed House bill, No. 177, entitled "an act to amend section 143 of an act entitled 'an act amendatory of an act to

provide for the publication of delinquent taxes,'' approved May 31, 1861.

Also, that the Senate has passed Senate Joint Resolution, No. 24, entitled "a joint resolution in reference to bounties for the soldiers of the Twelfth and Sixteenth Regiments Indiana Volunteers.

Mr. Rhoads, from the Committee on Enrolled Bills, made the following report:

MR. SPEAKER:

The Joint Committee on Enrolled Bills respectfully report that they have examined enrolled act, (House of Representatives), No. 47, and have compared the same with the engrossed copy thereof, and instruct me to report the same as in all respects properly and correctly enrolled.

On motion by Mr. Higgins,
The House adjourned till 7 o'clock this evening.

7 O'CLOCK P. M.

The House met.

Mr. Gleason moved a call of the House.

Which was ordered, and the following members answered to their names:

Messrs. Atkinson, Bonner, Boyd, Branham, Burnes, Buskirk, Caldwell, Church, Cowgill, Cox, Croan, Crook, Davidson, Ferris, Foulke, Gleason, Goodman, Gregory of Montgomery, Griffith, Groves, Hamrick, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Hunt, Lane, Lee, Lemon, Lockhart, Lopp, Major, Miller, Milroy, Montgomery, McVey, Olleman, Osborn, Perigo, Prather, Reese, Rhoads, Richardson, Riford, Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Stewart, Stringer, Stuckey, Sullivan of J. and V., Thatcher, Trusler, Upson, Weikel, Welch, White, Woodruff, Wright, Woods and Mr. Speaker—65.

No quorum being present,

The doors were ordered to be closed, and the Doorkeeper directe to send for absentees.

Messrs. Brown, Boyd, Howard, Stuckey, Stivers and Zeigler wer reported present.

Mr. Shoaff, of Jay, moved that further proceedings under the ca be dispensed with.

Which was not agreed to.

On motion,

The foregoing named members were discharged from custody.

Mr. Miller moved to dispense with further proceedings under tl call.

Which was agreed to.

Mr. Buskirk moved to suspend the order of business and take u House bills on second reading.

Which was agreed to.

HOUSE BILLS ON SECOND READING.

House bill, No. 157 was read a second time, ordered to be e grossed, and passed to a third reading.

House bill, No. 217 was read a second time, ordered to be e grossed, and passed to a third reading.

House bill, No. 251 was read a second time. The amendmer heretofore reported, were also severally read and agreed to.

The bill was ordered to be engrossed and passed to a third readir

House bill, No. 256 was read a second time, ordered to be e grossed, and passed to a third reading.

House bill, No. 259 was read a second time, ordered to be e grossed, and passed to a third reading.

House bill No. 271 was taken from the table, and,

On motion,

Was placed on file.

House bill No. 262 was read a second time, ordered to be engrossed, nd passed to a third reading.

Mr. Lane moved to reconsider the vote by which the House ordered Iouse bill No. 256 to a third reading.
Which was agreed to.

House bill No. 264 was read a second time.

The amendments heretofore reported were read.

The question being on adopting the first amendment,

Mr. Gregory, of Warren, moved the previous question.
Which was seconded by the House.

The question being, shall the main question be now put?
It was so ordered.

The question being on the first amendment,
It was agreed to.

The question being on adopting the second and third amendments,
They were agreed to.

The bill was then ordered to be engrossed and passed to a third eading.

House bill No. 256 was taken up.

Mr. Lane offered the following amendment:

Add the following new section:

Sec. 6. Nothing in this act shall be construed to authorize any orporation to take possession of any part of the Wabash and Erie anal.
Which was agreed to.

Mr. Buskirk offered the following amendment:

And be it further provided, that nothing in this act shall prevent r deny the right of the writ for the assessment of damages.
Which was agreed to.

Mr. Osborn moved to lay the bill and amendments on the table.
Which was not agreed to.

The bill was then ordered to be engrossed, and passed to a third reading.

House bill No. 273 was read a second time.

Mr. Higgins moved to indefinitely postpone said bill.

Messrs. Brown and Lopp demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Boyd, Branham, Burnes, Caldwell, Cowgill, Cox, Crook, Davidson, Ferris, Gleason, Gregory of Warren, Hershey, Higgins, Hoover, Miller, Montgomery, McVey, Newcomb, Olleman, Prather, Reese, Rhoads, Riford, Sabin, Stewart, Stivers, Stringer, Sullivan of P. and V., Upson, Welch, Woodruff, Wright and Zeigler—35.

Those who voted in the negative were,

Messrs. Atkinson, Brown, Burwell, Buskirk, Church, Croan, Foulke, Goodman, Gregg, Gregory of Montgomery, Griffith, Groves, Hargrove, Harrison, Henricks, Hogate, Howard, Hunt, Lasselle, Lee, Lemon, Lockhart, Lopp, Major, Milroy, Osborn, Perigo, Richardson, Roach, Shoaff of Allen, Shoaff of Jay, Sim, Stuckey, Thatcher, Trusler, White, Woods and Mr. Speaker—36.

So the bill was not indefinitely postponed.

Mr. Burwell moved to recommit the bill.
Which was not agreed to.

The question being on the engrossment and third reading of said bill,

Mr. Miller moved the previous question.
Which was seconded by the House.

The question being, shall the main question be now put?
It was so ordered.

Messrs. Woods and Brown demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Brown, Buskirk, Croan, Gregg, Hargrove Harrison, Howard, Hunt, Lasselle, Lee, Lemon, Lopp, Milroy, Osborn, Perigo, Rhoads, Roach, Richardson, Shoaff of Jay, Stuckey, Thatcher and White—22.

Those who voted in the negative were,

Messrs. Atkinson, Bonner, Boyd, Branham, Burnes, Burwell, Caldwell, Church, Cowgill, Cox, Crook, Davidson, Ferris, Foulke, Gleason, Goodman, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Henricks, Hershey, Higgins, Hogate, Hoover, Lockhart, Major, Miller, Montgomery, McVey, Newcomb, Olleman, Prather, Reese, Riford, Sabin, Shoaff of Allen, Sim, Stewart, Stivers, Stringer, Sullivan of P. and V., Trusler, Upson, Welch, Woodruff, Wright, Woods, Zeigler and Mr. Speaker—50.

So the bill was not ordered to be engrossed.

Mr. Sim moved that the House do now adjourn.
Which was not agreed to.

House bill No. 282 was read a second time.

Mr. Groves moved to amend as follows:

Strike out from the bill all which requires that the counties heretofore sending their convicts to the Southern Prison shall hereafter send them to the Northern Prison.
Which was not agreed to.

The bill was then ordered to be engrossed, and passed to a third reading.

Mr. Lasselle moved to suspend the order of business and take up House bill No. 309.
Which was agreed to.

House bill No. 309 was read a second time. The amendments heretofore reported were also read and agreed to.

The bill was then ordered to be engrossed, and passed to a third reading.

Mr. Lopp moved that the House do now adjourn.
Which was not agreed to.

Mr. Newcomb moved to take up House bills on third reading.
Which was agreed to.

House bill No. 181 was taken up, with amendments. The first amendment was read.

Mr. Newcomb moved to lay the bill and amendments on the table
Which was agreed to.

Mr. Burwell moved that the House do now adjourn.
Which was not agreed to.

House Joint Resolution No. 3 was read a second time, ordered to be engrossed, and passed to a third reading.

House bill No. 18 was read a second time. The amendments heretofore reported were also read and agreed to.

The bill was then ordered to be engrossed, and passed to a third reading.

The Speaker announced the following select committee on the part of the House in regard to the Adjutant General's Report: Messrs. Branham, Henricks and Cowgill.

House bill No. 190 was read a second time. The amendment heretofore reported were also read.

Mr. Stivers offered the following amendment:

Amend by inserting after the words "except papers returned by Township Assessors," the following, to-wit: "For filing lists returned by Township Assessors and County Appraisers, one cent each."
Which was agreed to.

The amendments reported by the Committee, as amended, were then agreed to, and said bill was ordered to be engrossed and passed to a third reading.

Mr. Woods obtained leave, and reported that Mr. Milroy was entitled to mileage for one hundred and sixty-six miles.

Which was agreed to.

On motion by Mr. Milroy,

The House adjourned.

WEDNESDAY MORNING, 9 o'clock, }
December 13, 1865. }

The House met pursuant to adjournment, and was called to order by the Clerk, when,

On motion by Mr. James,

Mr Hamrick was called to the Chair.

The reading of the Journal of yesterday was, on motion by Mr. Spencer, dispensed with.

The Journal, as reported, was then approved.

PETITIONS, MEMORIALS AND REMONSTRANCES.

By Mr. Hoover:

A petition on the subject of education.

Which was referred to the Committee on Education.

By Mr. Ferris:

A memorial from the Board of Commissioners of Ripley county, asking for a modification of the law for the relief of the families of soldiers, &c.

Which was referred to the Committee on Ways and Means.

By Mr. Shuey:

A petition on the subject of education.

Which was referred to the Committee on Education.

By Mr. James:

A petition on the subject of temperance, from citizens of Grant county.

Which was referred to the Committee on Temperance.

By Mr. Lopp:

A memorial from the Board of Commissioners of Harrison county, asking for a modification of the law for the relief of the families of soldiers, &c.

Which was referred to the Committee on Ways and Means.

By Mr. Lemon:

A memorial from the Commissioners of Harrison county, on the same subject.

Which was referred to the Committee on Ways and Means.

By Mr. O'Brien:

A memorial from the Commissioners of Martin county, on the same subject.

Which was referred to the Special Committee on the Soldiers' Home.

By Mr. Church:

A claim from J. L. Sailors for $16.75.

Which was referred to the Committee on Claims.

Also, a claim from Dorsey & Layman, for $1.00.

Which was referred to the same committee.

By Mr. Newcomb:

A claim from Andrew Wallace, for beef furnished Insane Asylum, amounting to $1,932.45.

Which was referred to the Committee on Claims.

By Mr. Abbett:

A claim from Cox & Brandt, for writing fluid, $9.00.

Which was referred to the Committee on Claims.

By Mr. Veach:

A claim from W. R. Hogshire & Co., for $53.30.
Which was referred to the Committee on Claims.

REPORTS OF COMMITTEES.

Mr. Groves, from the Committee on State Prison South, made the following report:

Mr. Speaker:

The Committee on the State Prison, South, to whom was referred House Bill No. 316, have had the same under consideration, and would recommend that the further consideration of the same be indefinitely postponed.

Which was agreed to.

Mr. Groves, from the Committee on Claims, made the following report:

Mr. Speaker:

The Committee on Claims, to whom was referred the claim of W. L. Smith for $20 for coal furnished for the use of House session of 1865, have had the same under consideration, and have instructed me to report the same back and that an allowance for the same be incorporated in the specific appropriation bill.

Which report was concurred in, and the same was referred to the Committee on Ways and Means, with instructions to incorporate the same in the specific appropriation bill.

Mr. Gregory of Montgomery, from the Committee on Sinking Fund, made the following report:

Mr. Speaker:

The Sinking Fund Committee, to whom was referred House bill No. 222, have had the same under consideration, and have directed me to report said bill back with the following amendments, to-wit:

Strike out the word "thirty" where it occurs in the first section, and insert the word "twenty," and when so amended we recommend the passage of said bill.

Which report was laid upon the table:

Mr. Burns, from the Committee on Rights and Privileges, made the following report:

MR. SPEAKER:

The Committee on Rights and Privileges, to whom was referred House bill No. 150, have had the same under consideration, and recommend that said bill be amended by striking out the words "twenty-five" in the 9th line thereof and insert the words "thirty-three," and amend further by striking out the word "fifty" in the 10th line thereof, and insert the words "sixty-seven" and upon the adoption of said amendments a majority of the Committee recommend that the bill do pass.

Which report was laid upon the table.

Mr. Griffith, from the Committee on Benevolent Institutions, made the following report:

MR. SPEAKER:

The Committee on Benevolent Institutions of the State, to whom was referred Senate bill No. 201, "a bill to provide for the care and treatment of the incurable insane of the State of Indiana, and matters properly connected therewith," have had the same under consideration, and do hereby respectfully recommend the passage thereof

Which report was laid upon the table.

Mr. Shuey, from the Committee on Temperance made the following report:

MR. SPEAKER:

The Committee on Temperance, to whom was referred House bill No. 306, entitled a bill to regulate and license the sale of intoxicating liquors &c., beg leave to report that they have had the same under consideration, and report the same back to the House, with a recommendation that it do pass, after adopting the following amendments:

Amend by adding the following:

Sec. 18. This act shall not be construed to revoke or annul any license issued to a retailer of intoxicating liquors in pursuance of the laws now in force, but in all other respects such retailers shall be sub-

ject to the provisions hereof, nor shall this act work a discontinuance of any pending prosecution for the violation of any act now in force, but the same shall proceed to final judgment in the same manner as if this act had not been passed.

Sec. 19. There being an emergency for the taking effect of this act before the publication and distribution of the laws enacted during the present session of the General Assembly among the several counties of the State, the same shall be in force from and after the 15th day of January next, and the Secretary of State shall cause the same to be immediately published in one or more newspapers of the City of Indianapolis, and as soon as practicable thereafter shall mail a copy of such newspapers to the clerk of the Circuit Court of each county of this State, who shall file the same in his office for the inspection of the citizens of such county.

Which report was laid upon the table.

Mr. Montgomery, from the Joint Committee on Enrolled Bills, made the following report:

MR. SPEAKER:

The Joint Committee on Enrolled Bills, to whom was referred enrolled House bill Nos. 149 and 177, have directed me to report that they have carefully compared them with the original copies thereof, and find them in every respect correctly enrolled.

Which was laid on the table.

REPORTS OF SPECIAL COMMITTEES.

Mr. Osborn, from the special committee on resolution No. 31, made the following report:

MR. SPEAKER:

The select committee, to whom was referred resolution No. 31, (introduced by Mr. Osborn,) inquiring into the expediency of reporting a bill to make a lien upon county orders for the payment of taxes, &c., have had the same under consideration, and a majority of said committee instruct me to report that it is inexpedient to legislate upon that subject at this time, and ask to be discharged from the further consideration thereof.

Which report was laid on the table and the committee discharged.

Mr. Newcomb, from the special committee on Senate bill No. 198, made the following report:

Mr. Speaker:

The select committee, to whom was referred Senate bill No. 198, entitled "an act repealing an act for the relief of the families of soldiers, seamen and marines, and sick and wounded Indiana soldiers in Hospital in the State and United States service, and of those who have died or been disabled in such service, and prescribing the duties of certain officers therein named," approved March 4, 1865, have had the same under consideration, and instruct me to report the same back, with the recommendation that the bill be stricken out from the enacting clause, and, in lieu thereof, that the accompanying amendmendment be inserted.

Section 1. So much of the act of the General Assembly of March 4, 1865, entitled "an act for the relief of the families of soldiers, seamen and marines, and sick and wounded Indiana soldiers in hospitals in the State and United States service, and of those who have died or been disabled in such service, and prescribing the duties of officers therein named," as provides for the levy and collection of a property and poll tax for the year eighteen hundred and sixty-six be, and the same is hereby, repealed.

Sec. 2. The amount assessed and already collected, and to be hereafter collected, in pursuance of the provisions of said act for the year one thousand eight hundred and sixty-five, shall be disposed of as follows, to-wit:

Fifteen per centum thereof shall be paid into the State Treasury, and shall be sacredly and solely held and applied for the persons who may wish to avail themselves of the same, and for the uses herein declared, in such manner as may be provided by law, namely:

1st. For the permanent support and comfort of persons who have been in the military service, whether of the State or of the United States in the late war for the suppression of the rebellion, and who are now, or shall become, permanently and wholly disabled by reason of wounds or disease incurred in the line of duty.

2d. For the comfortable support and education of such persons who are now, or may become for such reason, permanently disabled but not wholly so, in order that they may become self-supporting in whole or in part.

3d. For the comfortable support and education of orphan child-

ren without living parents, whose fathers died in actual military service as aforesaid, or whose fathers have since died, or shall hereafter die by reason of disability from wounds or disease incurred in the line of duty in such service.

The residue of said sum so collected shall form a part of the general fund of the proper counties. And it is hereby made the duty of the Board of Commissioners of the several counties to provide in a liberal manner, from such general fund, for the necessary support of needy persons of the following classes, to-wit: *First.* Non-commissioned officers and soldiers who have been and are now, or shall hereafter become disabled by reason of wounds or disease incurred or contracted in the line of duty in the service of the State, or of the United States, in the late war for the suppression of the rebellion. *Second.* The wives and children of such. *Third.* The widows and children of all officers and soldiers who were killed or died from wounds or disease, done or contracted in the line of duty in such service, or who have since died, or shall hereafter die from any of such causes.

Which report was laid on the table.

Mr. Patterson, from the select committee on House bill No. 284, made the following report:

MR. SPEAKER:

The select committee, to whom was referred House bill No. 284, "an act to provide for the election of Boards of Directors for railroads incorporated by the laws of this State, and prescribing their qualifications," have had the same under consideration, and directed me to add the following section to the bill, to-wit:

Sec. 3. That all railroad companies, organized under any law of this State, shall be required to keep their principal office for the transaction of business within this State at some point on the line of their road.

Change emergency clause from section 3 to section 4, and when so amended recommend its passage.

Which report and amendments were laid on the table.

Mr. Burton, from the select committee on the memorial of Nathan Brown, presented the following:

MR. SPEAKER:

The select committee, to whom was referred the memorial of

Nathan Brown, have had the same under consideration and have instructed me to report the same back to the House, together with the following Joint Resolution, recommending its passage without unnecessary delay.

A Joint Resolution providing for a reward to one Nathan Brown, fixing the condition upon which the same shall be paid; appointing a committee to act in the premises, prescribing their powers and duties and fixing their compensation.

Was read a first time and passed to a second reading.

Mr. Cox, from the Committee of Ways and Means, made the the following report:

MR. SPEAKER:

The Committee of Ways and Means, to whom was referred House bill No. 208, have had the same under consideration and have directed me to offer the following bill as a substitute therefor:

A bill to amend an act entitled "an act to provide for a general system of common schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of Township Libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed," approved March 6, 1865, and also, an act supplemental thereto; providing for the separate enumeration of colored children, prescribing the duties of Township Trustees in relation thereto, and declaring an emergency.

Section 1. *Be it enacted by the General Assembly of the State of Indiana*, That section first of the above recited act which reads as follows:

"Section 1. *Be it enacted by the General Assembly of the State of Indiana*, That there shall be annually assessed and collected, as State and County revenues are assessed and collected, sixteen cents on each one hundred dollars of taxable property, real and personal, in the State, and fifty cents on each taxable poll, for the purpose of supporting a general system of common schools: *Provided, however*, that the taxes aforesaid shall not be levied and collected from negroes nor mulattoes," be it so amended as to read as follows:

Be it enacted by the General Assembly of the State of Indiana, That there shall be annually assessed and collected, as State and County revenues are assessed and collected, sixteen cents on each one hundred dollars of taxable property, real and personal, in the State, and fifty cents on each taxable poll, for the purpose of supporting a general system of common schools.

Sec. 2. *Be it further enacted*, That the Trustees of the several townships, towns and cities shall between the first day of July and the first day of September in each year make an enumeration of the colored children within their respective townships, towns or cities, said enumeration shall be kept separate and distinct from the enumeration of white children in a book provided for that purpose, and shall state the number of such colored children within their respective townships, towns and cities, exclusive of married persons, and the provisions of section fourteen of said act, approved March 6, 1865, shall in all respects apply to the provisions of this act.

Sec. 3. *Be it further enacted*, That when such persons as are mentioned in this act can be better accommodated at the school of an adjoining township or district or of any incorporated town or city the Trustee of the township, town or city in which such persons reside shall, if such persons so request at the time of making the enumeration, transfer them for educational purposes to such township, town or city and notify the trustee of such transfer, which notice shall furnish the enumeration of the children so transferred, and each trustee shall with his report of the enumeration, report distinctly the the persons so transferred to his township, town or city for school purposes indicating in said report, the number of children in charge of the persons so transferred with the same particularity that is observed in the enumeration.

Sec. 4. *Be it further enacted*, That in any school district where there is a sufficient number of colored children to form a school, or a district can be formed containing a sufficient number of colored children to form a school, the township Trustee in which said district is situated, or if said district is formed from more than one township, or district, then the Trustees of the townships from which such district is formed, shall provide a school for such colored children, and expend their proper proportion of the school funds, for the benefit for such schools.

Sec. 5. It is hereby declared that an emergency exists for the immediate taking effect of this act; it shall therefore take effect and be in force from and after its passage.

Which report was laid on the table, and made the special order for to-morrow night at 7 o'clock.

Mr. Stewart from the Committee on Engrossed Bills, made the following report:

MR. SPEAKER:

The Committee on Engrossed Bills, to whom was referred engrossed House bill No. 309, entitled, "a bill authorizing boards of county commissioners to make appropriations in aid of the location or construction of manufacturing establishments or machine shops," have carefully compared the engrossed bill with the original bill, and find that the same has, in all respects, been accurately and correctly engrossed.

Which report was laid upon the table.

Mr. Newcomb obtained permission, and introduced the following resolution:

Resolved, That hereafter, no member of the House shall speak more than ten minutes at any one time; to take effect on and after to-morrow, Dec. 14, 1865: *Provided*, that on House bill No. 208, the time may be extended to twenty-five minutes.

Mr. Buskirk moved to amend as follows:

Provided, That two-thirds of the House may permit further time not exceeding twenty-five minutes.

Mr. Groves moved that all pending amendments be laid on the table.

Which was agreed to.

Mr. Dunham moved to amend by making the rule take effect on and after to-morrow.

Mr. Brown moved to lay the whole subject on the table.

Messrs. Groves and Brown demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Abbett, Bird, Boyd, Brown, Burnes, Burton, Burwell, Buskirk, Chambers, Croan, Dunham, Glazebrook, Gregg, Hamrick, Hargrove, Harrison, Humphreys, Hunt, Lee, Lemon, Lopp, Milroy, O'Brien, Patterson, Perigo, Rice, Richards, Richardson, Roach, Shoaff of Allen, Shoaff of Jay, Sim, Spencer, Stenger, Stuckey, Sullivan of P. and V., Thatcher, Veach, Weikel, White and Wright—41.

Those who voted in the negative were,

Messrs. Atkinson, Bonner, Caldwell, Church, Cowgill, Cox, Crook, Davidson, Foulke, Gleason, Goodman, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Henricks, Hershey, Higgins, Hogate, Hoover, James, Lane, Litson, Lockhart, Major, Miller, Montgomery, McVey, Newcomb, Olleman, Osborn, Prather, Reese, Rhoads, Riford, Sabin, Shuey, Stewart, Stivers, Stringer, Sullivan of Scott, Trusler, Upson, Welch, Woodruff, Woods, Zeigler and Mr. Speaker—48.

So the motion to lay on the table was not agreed to.

Mr. Groves moved the previous question,
Which was seconded by the House.

The question being, shall the main question be now put?
It was so ordered.

The question being on the amendment by Mr. Dunham.
It was agreed to.

The question being on the Resolution as amended.
It was agreed to.

Mr. Sim obtained permission, and introduced the following concurrent resolution :

WHEREAS, The State Capitol building contains valuable records and archives of the State, the loss of which would be irreparable, therefore,

Resolved, By the House, the Senate concurring, that the Joint Committee on Public buildings be, and they are hereby instructed to confer with the Governor, Adjutant General, Clerk of the Supreme Court, and State Librarian, as to the present plan of guarding the Capitol Building, and whether additional measures should be taken

for the security of the public records and archives under their charge; and said committee is directed to report by bill or otherwise.

Which concurrent resolution was agreed to, and the clerk directed to inform the Senate.

Mr. Caldwell obtained permission and introduced the following concurrent resolution:

WHEREAS, It is desired that some definite expression should be made by this General Assembly in relation to the reconstruction policy of President Johnson, therefore

Be it resolved (*the Senate concurring*), that it is the sense of this General Assembly of this State, that in the reconstruction of the government of the States lately in rebellion against the government and authority of the United States, each State shall be left free to choose for itself its own system of political franchises.

Which concurrent resolution was referred to the Committee on Federal Relations.

A message from the Senate by Mr. Wilson their Secretary.

MR. SPEAKER:

I am directed by the President of the Senate to inform the House of Representatives that the Senate has concurred in the following resolution of the House:

Resolved, That there be a committee of three on the part of the House, to act with a like committee on the part of the Senate, in relation to the printing of the Adjutant General's report, under the resolution of the House adopted on the 4th of March, 1865, and that they report to this House the number of volumes and the cost of the same, and such other information as may be necessary for the action of this House in reference thereto; and that the President has appointed Messrs. Cason, Cobb and Beeson as such committee on the part of the Senate.

Also, that the President of the Senate has signed enrolled acts of the House Nos. 47, 149 and 177, and the same are hereby returned.

Mr. Rhoads, from the Committee on Enrolled Bills, made the following report:

MR. SPEAKER:

The Joint Committee on Enrolled Bills respectfully report that on the 13th day of December, 1865, at 11¼ o'clock, A. M., they presented to His Excellency, Conrad Baker, acting Governor of the State, enrolled acts (House of Representatives) Nos. 47, 149 and 177, for his approval and signature.

The Speaker announced that he had signed House bills Nos. 47, 149 and 177.

Mr. Montgomery, from the Committee on Enrolled Bills, made the following report:

MR. SPEAKER:

The Joint Committee on Enrolled Bills, to whom was referred House bill No. 212, have carefully compared the same with the engrossed copy thereof, and have directed me to report that they find the same in all respects correctly engrossed.

Which report was concurred in.

The Speaker announced that he had signed House bill No. 212.

Mr. Rhoads, from the Joint Committee on Enrolled Bills, made the following report:

MR. SPEAKER:

The Joint Committee on Enrolled Bills respectfully report that on Tuesday, December 12, 1865, at 3½ o'clock, P. M., they presented to His Excellency, Conrad Baker, acting Governor of the State, House bills Nos. 79 and 106, for his approval and signature.

Which report was concurred in.

SPECIAL ORDER OF THE DAY.

The hour having arrived for the consideration of the special order for the day, House bill No. 6 was taken up.

House bill No. 6. A bill to establish an Agricultural College, wherein shall be taught such branches of learning as are related to Agriculture, including the Mechanic Arts and Military Tactics. Also such other branches of science and literature as the General

Assembly or the Trustees of said College shall direct, and to appropriate funds for its endowment, support and maintenance, and to provide a Board of Trustees for its management.

The pending question on adjournment yesterday was the motion made by Mr. Sim to strike out "Bloomington," wherever the same occurs, and insert "Richmond."

On motion by Mr. Buskirk,
The House adjourned.

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2 O'CLOCK P. M.

The House met.

Mr. Hamrick in the Chair.

Mr. Branham asked unanimous consent to take up House bill No. 158.
Which was agreed to.

House bill No. 158 was taken up, and referred to the Committee on Ways and Means.

Mr. Shoaff, of Allen, by consent, introduced

House bill No. 320. A bill to regulate swing bridges across the several canals, feeders, rivers and streams in this State, prescribing a penalty for injuring the same, or interrupting the free passage thereof, and matters properly connected therewith, and declaring an emergency.
Which was read a first time, and referred to a select committee of three.

The Speaker announced the following special committee on House bill No. 320: Messrs. Shoaff of Allen, Miller and Lasselle.

A message from the Governor, by Mr. Jacobs, his Secretary:

MR. SPEAKER:

I am directed by His Excellency, the Governor, to inform your honorable body that he has approved and signed the following enrolled House bills:

No. 78. An act to provide for the sale of certain lands belonging to the State of Indiana, in the counties of Jasper and Newton, and to give pre-emption to actual settlers thereon.

No. 106. An act authorizing the construction of warehouses for the inspection, storage and sale of tobacco.

No. 149. An act to enable the Board of Directors of any incorporated turnpike company to change the time of holding the election of Directors.

No. 177. An act to amend section 143 of an act entitled "an act amendatory of an act to provide for the publication of delinquent taxes," approved May 31, 1861.

And that the same have been deposited in the office of the Secretary of State.

A message from the Senate, by Mr. Wilson, their Secretary:

MR. SPEAKER:

I am directed by the President of the Senate, to inform the House of Representatives that the Senate has passed the following resolution:

Resolved, That the Secretary of the Senate inform the House that House bill No. 47 was passed by the Senate as it came from the House, without any amendment thereof, and that if any amendment was believed by the House to have been made by the Senate, such belief was unfounded, and that the Senate regards the said bill as having legally passed both branches, the same as when it passed the House, and in that form will become a law, on being signed by the Speaker of the House and the President of the Senate, and approved by the Governor.

A copy of which resolution is herewith submitted.

SPECIAL ORDER FOR THE DAY.

House bill No. 6 was under consideration. The pending question was the motion made by Mr. Sim, to strike out "Bloomington" and insert "Richmond."

Mr. Sim withdrew, by unanimous consent, his proposed amendment.

Mr. Gregory, of Warren, moved the previous question.
Which was seconded by the House.

The question being on adopting the report submitted by the minority of said committee,

Messrs. Buskirk and Harrison demanded the ayes and noes:

Those who voted in the affirmative were,

Messrs. Atkinson, Bonner, Branham, Brown, Caldwell, Church, Cowgill, Cox. Croan, Davidson, Ferris, Glazebrook, Gleason, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Henricks, Hershey, Higgins, Hoover, James, Lane, Lockhart, Miller, Milroy, Montgomery, Prather, Riford, Roach, Sabin, Shoaff of Allen, Shuey, Sullivan of P. and V., Upson, Wright, Woods, Zeigler and Mr. Speaker—37.

Those who voted in the negative were,

Messrs. Abbett, Bird, Boyd, Brown, Burwell, Buskirk, Chambers. Crook, Dunham, Foulke, Goodman, Gregg, Hargrove, Harrison, Hogate, Howard, Humphreys, Hunt, Kilgore, Lasselle, Lee, Lemon, Litson, Lopp, McVey, Newcomb, O'Brien, Osborn, Patterson, Perigo, Pinney, Reese, Rice, Richards, Richardson, Shoaff of Jay, Sim, Spencer, Stewart, Stenger, Stuckey, Sullivan of Scott, Thatcher, Veach, Weikel, Welch, White and Woodruff—47.

So said minority report was not adopted.

Mr. Gregory, of Warren, moved to reconsider the vote ordering the previous question.

Mr. Brown moved to lay the motion to reconsider on the table.
Which was agreed to.

The question being on concurring in the report submitted by the majority of said committee,

Messrs. Miller and Buskirk demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Abbett, Bird, Boyd, Brown, Burnes, Burwell, Buskirk, Chambers, Coffroth, Crook, Dunham, Goodman, Gregg, Groves, Harrison, Hogate, Howard, Humphreys, Hunt, Lasselle, Lee, Lemon, Litson, Lopp, Newcomb, O'Brien, Osborn, Patterson, Perigo, Pinney, Reese, Rice, Richards, Richardson, Roach, Shoaff of Jay, Spencer, Stenger, Stuckey, Sullivan of Scott, Thatcher, Veach, Weikel, Welch, White, Woodruff and Wright—48.

Those who voted in the negative were,

Messrs. Atkinson, Bonner, Caldwell, Church, Cowgill, Cox, Croan, Davidson, Ferris, Foulke, Glazebrook, Gleason, Gregory of Montgomery, Gregory of Warren, Griffith, Hamrick, Hargrove, Henricks, Hershey, Higgins, Hoover, James, Kilgore, Lane, Lockhart, Major, Miller, Milroy, Montgomery, McVey, Newcomb, Prather, Rhoads, Riford, Sabin, Shoaff of Allen, Shucy, Sim. Stewart, Sullivan of P. and V., Upson, Woods, Zeigler and Mr. Speaker—43.

So the majority report was concurred in.

Mr. Pettit moved to strike out the amendment proposed by the committee, and substitute the following:

"The Governor is directed and required to appoint a commission, consisting of five discreet persons, selected equally from the several parts of the State, well acquainted with agriculture and mechanical industry; which Commissioners, having been first qualified by an oath faithfully to discharge the duties of such commission, shall proceed, and by personal examination and comparison, fix the location of the Indiana Agricultural College, provided for by the act of the General Assembly, approved March 6, 1865, having reference to the following conditions and considerations as indispensable, to wit:

That the location of the College shall be fixed with reference to healthfulness of the vicinity, ease of access from all parts of the State, and the importance and prosperity of the mechanical and agricultural industry of the place where it shall be fixed, and in the sur-

rounding country. That there shall be first donated, for the purpose of the College, a quantity of land not less than one hundred acres, of indisputable title, which, including suitable buildings thereon, or the value of agreements with reference to buildings to be erected thereon, or agreements with reference to buildings, or other property, useful and proper for such a College, shall at the time be of the fair value of one hundred thousand dollars.

That said Commissioners shall be, and are hereby authorized to receive grants, donations and conveyances of land, or other property, or agreements with freehold surety; the same being taken in the name of the State of Indiana, and which shall be first delivered, and which said Commissioners are authorized on behalf of the State to accept. Said Commissioners, when said location shall be so fixed, shall make several certified reports thereof to the Treasurer of the State, and to the Trustees of the Indiana Agricultural College; which said Trustees shall at once take charge of said land, and other property, and the same shall thereafter be the absolute property of the State, and shall be the Indiana Agricultural College."

On motion by Mr. Kilgore,
The House adjourned.

THURSDAY MORNING, 9 o'clock,
December 14, 1865.

The House met pursuant to adjournment.

The Speaker ordered a call of the House, when the following members answered to their names:

Messrs. Abbett, Atkinson, Bonner, Boyd, Brown, Burnes, Caldwell, Church Collins, Cowgill, Croan, Crook, Drvidson, Ferris, Glazebrook, Gleason, Goodman, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Hargrove, Hershey, Hogate, Hoover, Howard, Humphreys, Hunt, James, Lane, Lasselle, Lee,

Major Miller, Milroy, Montgomery, McVey, Newcomb, Olleman, Osborn, Patterson, Pinney, Prather, Reese, Rhoads, Rice, Richards, Richardson, Riford, Roach, Sabin, Shoaff of Allen, Shuey, Spencer, Stewart, Stenger, Stringer, Stuckey, Upson, Veach, Weikel, White, Woodruff, Wright, Woods and Mr. Speaker—67.

A quorum being present, a further call of the House was dispensed with.

The Clerk proceeded to read the Journal of yesterday, when,

On motion,
Its further reading was dispensed with.

The Journal, as reported, was then approved.

PETITIONS, MEMORIALS AND REMONSTRANCES.

By Mr. Burnes:

A petition from sundry citizens, asking a repeal of the "Black Laws."
Which was referred to the Committee on the Rights and Privileges of the Inhabitants of the State.

By Mr. Speaker:

A petition on the subject of temperance.
Which was referred to the Committee on Temperance.

A message from the Senate by Mr. Wilson, their Secretary.

MR. SPEAKER:

I am directed by the President of the Senate to inform the House of Representatives that the Senate has passed the following engrossed bills thereof, to-wit:

Engrossed Senate bill No. 174, entitled "an act to provide for the protection of wild game, defining the time in which the same may be taken or killed, and declaring the penalty for the violation of this act; repealing all laws inconsistent therewith, and declaring an emergency."

Also, engrossed Senate bill No. 218, entitled "an act to amend an

act entitled 'an act to discourage the keeping of useless and sheep-killing dogs, and providing penalties for the violation of any of the provisions of said act by officers and others, and also repealing 'an act to license dogs,' approved March 11, 1861, and providing that nothing in this act shall be so construed as to conflict with the provisions of an act entitled 'an act for the protection of sheep,' approved June 18, 1852,' approved March 2, 1865."

Also, engrossed Senate bill No. 281, entitled "an act to amend an act entitled 'an act to fix the amount of the salary of the State Librarian, and repealing all laws conflicting therewith,' and to dispense with an Assistant Librarian and Clerk," approved March 4, 1859.

In which the concurrence of the House is respectfully requested.

REPORTS OF COMMITTEES.

Mr. Branham, from the Committee of Ways and Means, made the following report:

MR. SPEAKER:

The Committee of Ways and Means, to whom was referred House bill, No. 159, have had the same under consideration, and have directed me to report the bill back to the House and recommend its passage.

Which report was laid on the table.

Mr. Newcomb, from the Committee on the Judiciary, made the following report:

MR. SPEAKER:

The Committee on the Judiciary, to whom was referred the petition of E. F. Dickey and other lawyers of Miami county, praying for the repeal of all laws disqualifying Indians residing within this State from testifying in cases where white persons are parties in interest, have had the same under consideration, and instruct me to report that as the House has already acted upon the subject matter of the petition, further legislation is unnecessary, and they ask to be discharged from the further consideration of the subject.

Which report was laid upon the table.

Mr. Newcomb. from the Committee on the Judiciary, made the following report:

MR SPEAKER:

The Committee on the Judiciary, to whom was referred House Joint Resolution No. 23, entitled "a Joint Resolution to amend the 11th section of the 4th article of the Constitution, so as to constitute a majority of the members elected to each House of the General Assembly a quorum to do business," have had the same under under consideration, and have instructed me to report the same back and recommend its passage. It seems to the Committee that the legislative history of the State, since the adoption of the present Constitution, is the strongest possible argument in favor of the proposed amendment. The power now given to a minority—a power, too, that has been frequently exercised—to suspend the legislative power of the State by a withdrawal from the house of which such minority are members, is opposed to the principles of a representative government, and makes the minority more powerful than the majority, as one-third of either house may prevent the passage of a bill, while the Constitution requires the affirmative vote of all the members elected to each house, when a quorum of two-thirds or more is present.

The inconvenience of the present rule is further illustrated by the difficulty experienced in keeping a quorum present for the transaction of business. The sickness of members, and the necessary absence of others, frequently compel a clear majority of either house to suspend business, to the great detriment of the State and the prejudice of its Treasury.

Which report was laid upon the table.

Mr. Gregory, from the Committee on Education, made the following report:

MR. SPEAKER:

The Committee on Education, to whom was referred the memorial and petition of C. P. Newkirk and others, asking the Legislature to so amend the School Law that the teachers of common schools be required to possess less qualifications as competent teachers than is required by the present law, beg leave to report that that matter is now pending on a bill to amend section 35 of the School Law, offered

by Mr. Goodman, from Crawford county, and is at the pleasure of this General Assembly.

Which report was laid on the table.

Mr. Burnes, from the Committee on Rights and Privileges, made the following report:

MR. SPEAKER:

The Committee on Rights and Privileges, to whom was referred Senate bill No. 27, entitled "an act to amend section four of an act entitled 'an act prescribing certain misdemeanors punishable only by a Justice of the Peace,'" approved June 7, 1852, have considered the same, and report the bill back without amendment and recommend that the bill do pass.

Which report was laid upon the table.

Mr. Burnes, from the Committee on Rights and Privileges, made the following report:

MR. SPEAKER:

The Committee on Rights and Privileges, to whom was referred House bill No. 287, entitled "an act to amend the 43d section of an act providing for the settlement of decedents' estates, prescribing the rights, liabilities and duties of officers connected with the management thereof, and the heirs thereto, and certain forms to be used in such settlement," have considered the same, and recommend that the further consideration thereof be indefinitely postponed.

Which report was concurred in and laid on the table.

Mr. Church, from the special committee, made the following report:

MR. SPEAKER:

The special committee, to whom was referred the matter of apportioning the State for Senators and Representatives in the Genaral Assembly, have had the same under consideration, a majority of whom direct me to report the following bill:

[Copy not furnished the State Printer.]

Which report was laid on the table.

Mr. Reece, from the select committee on Constitutional Amendments, made the following report:

MR. SPEAKER:

The undersigned, majority of the select Committee on Constitutional Amendments, to whom was referred House Joint Resolution No. 22, entitled "a Joint Resolution proposing an amendment to section two, of article two, of the Constitution of the State, so as to extend the right of suffrage to females as well as males," have had the same under consideration and beg leave to report:

That this proposition is a very novel and important one, and involves questions of the highest moment to the female sex in particular, and to the community of the State in general. It has never before, to the knowledge of this Committee, arisen in such form as to elicit discussion in any Legislative body, or by the public generally, and it is invested with many speculations as to the expediency and effect upon the condition of society.

As a question of abstract right, the Committee have no doubt, that, in accordance with the principles of a democratic form of government, females are entitled to the right of suffrage. But as to the political and moral results of the grant and exercise of this right, they are not so clear; yet in view of the past history and character of the female sex, in all ages and positions, the Committee are of the belief that the enforcement of this right by the Women of Indiana, would not only tend to exalt and ennoble the sex themselves, but would eventually tend to promote the general welfare.

They would therefore respectfully recommend the passage of the Joint Resolution.

Which report was laid on the table.

Mr. Newcomb, from the special committee, made the following report:

MR. SPEAKER:

The select committee, to whom was referred special message of the acting Governor, together with the communication of the Surgeon General of the United States Army, relative to the State of the Jeffersonville General Hospital, have had the same under consideration, and have directed me to report the following concurrent resolution, and recommend its adoption to-wit:

A concurrent resolution in relation to the transfer of the United States General Hospital at Jeffersonville to the State of Indiana.

Be it resolved by the House of Representatives, (the Senate concurring therein,) That the Lieutenant Governor, acting as Governor, is hereby authorized and directed to accept from the proper authorities of the United States, a transfer of the General Hospital at Jeffersonville, with such equipment thereof as may be included in such transfer, and to recept therefore, in the name of the State of Indiana.

And be it further resolved, that until the State shall, by law, provide for the care and support of such disabled soldiers as may desire the benefits of a soldiers' home or asylum, the Executive may grant the use of said Hospital and its equipment to any private association that will answer the care of such disabled soldiers.

Which report was laid on the table.

Mr. Newcomb moved to take up the resolution.
Which was agreed to.

Mr. Gregory moved the previous question.
Which was seconded by the House.

The question being, shall the main question be now put?
It was so ordered.

The question being on agreeing to said resolution.

Mr. Brown moved to reconsider the vote ordering the previous question.
Which was not agreed to.

Mr. Burwell moved to lay the resolution on the table.
Which was agreed to.

HOUSE BILLS ON FIRST READING.

By Mr Newcomb:

House bill No. 321. A bill to establish a Soldiers' and Seamen's Home, and for the benefit of their widows, and orphans.
Which was read a first time.

Mr. Huey moved that it be deemed expedient to suspend the constitutional rule requiring bills to be read on three several days by

sections, and read said bill the second time, by title, now.

The ayes and noes were taken under the Constitution.

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Bird, Bonner, Boyd, Burnes, Caldwell, Chambers, Church, Collins, Cowgill, Cox, Davidson, Ferris, Foulke, Gleason, Gregory of Montgomery, Gregory of Warren, Griffith, Henricks, Hershey, Higgins, Hogate, Hoover, James, Kilgore, Lane, Lee, Liston, Lockhart, Major, Montgomery, McVey, Newcomb, Olleman, Perigo, Prather, Reese, Rice, Richardson, Riford, Sabin, Shoaff of Allen, Shoaff of Jay, Shucy, Sim, Stewart, Stivers, Stringer, Stuckey, Sullivan of P. and V., Thatcher, Upson, Veach, Weikel, Welch, Woodruff, Wright, Woods, Zeigler and Mr. Speaker—61.

Those who voted in the negative were,

Messrs. Brown, Burwell, Croan, Crook, Dunham, Glazebrook, Goodman, Gregg, Groves, Hargrove, Humphreys, Hunt, Lemon, Miller, Milroy, O'Brien, Osborn, Pinney, Rhoads, Richards, Roach, Spencer, Stenger, Stuckey and White—25.

So it was deemed expedient to suspend said constitutional rule.

Said House bill, No. 321, was read a second time by its title, and,

On motion,
Was referred to the special committee on Soldiers' Home.

By Mr. Gregory of Warren:

House bill No. 322. A bill prescribing the duties of persons who may be the keepers of any gaming table, Roulette, Shuffle Board, Foro Bank, Ninepin or Tenpin Alley, or Billiard Table, prescribing penalties for the same, and for the protection of minors; declaring an emergency.

Which was read a first time and referred to the Committee on the Judiciary.

Mr. Boyd, by unanimous consent, presented a claim from H. C. Chandler & Co. for $229 95. Also a claim from J. W. Copeland for $3 60.

Which were referred to the Committee on Claims.

Mr. Chambers offered the following concurrent resolution:

Be it resolved by the House of Representatives (the Senate concurring), that our Senators be instructed and our Representatives in Congress be requested to use their influence to procure such a modification of the act of Congress of July 2, 1862, donating public lands to the several States and Territories which may provide Colleges for the benefit of Agriculture and the Mechanic Arts, as will enable States in which there are not sufficient or suitable public lands subject to entry, instead of selling their land scrip to enter lands therewith in any States or Territories in which there may be government lands subject to entry, and requiring States thus entering lands in other States or Territories to sell the same within six years; and also that said act of Congress be further amended so as allow States two years additional time to establish Colleges without being subject to a forfeiture of the benefits of the grant.

Mr. Woods moved to strike out "six" and insert "three."

No quorum voting, the Speaker ordered a call of the House, when the following members answered to their names:

Messrs. Abbett, Atkinson, Bonner, Boyd, Branham, Brown, Burnes, Buton, Burwell, Buskirk, Church, Collins, Cowgill, Cox, Croan, Crook, Davidson, Dunham, Ferris, Foulke, Glazebrook, Gleason, Goodman, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hargrove, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, Hunt, James, Laselle, Lee, Lane, Lemon, Litson, Lockhart, Lopp, Major, Meredith, Miller, Milroy, Montgomery, Newcomb, O'Brien, Olleman, Osborn, Patterson, Perigo, Pinney, Prather, Reese, Rhoads, Rice, Richards, Richardson, Riford, Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Spencer, Stewart, Stenger, Stivers, Stringer, Stuckey, Sullivan of P. and V., Thatcher, Upson, Veach, Weikel, Welch, White, Woodruff, Wright, Woods, Zeigler and Mr. Speaker—85.

A quorum being present, and the question being on the motion by Mr. Woods to strike out "six" and insert "three,"

It was not agreed to.

The resolution was then adopted.

By Mr. Bonner.:

House bill No. 323. A bill to amend section three of an act entitled "an act to allow County Commissioners to organize turnpike companies where three-fifths of the persons owning the real estate within prescribed limits petition for the same, and to levy a tax for its construction, and provide for the same to be free.

Which was read a first time, and referred to the Committee on Roads.

A message from the Governor, by Mr. Jacobs, his Private Secretary:

MR. SPEAKER:

I am directed by the Governor to communicate to your honorable body the following message and accompanying documents:

STATE OF INDIANA, EXECUTIVE DEPARTMENT,
INDIANAPOLIS, December 12, 1865.

To the Senate and House of Representatives:

I herewith respectfully transmit a copy of the report of Hon. Joseph E. McDonald, Commissioner to investigate the condition of the fraudulent Indiana 5 per cent. Stocks, with copies of vouchers numbers one and two, for expenditures and services of the Commissioner in the performance of the duties assigned him.

It will be seen that the Commissioner, since his report made at the last session of the General Assembly, has succeeded in procuring the surrender and cancellation of 27 of these fraudulent bonds, of the denomination of $10,000 each, and 21 of the same bonds of $3,000 each, making in the aggregate $375,000; and that in doing this he has expended, by the sanction of Governor Morton, the sum of $1,000, over and above his personal expenses and claim for services. It further appears by said report, that there still remains outstanding of these fraudulent issues, Stocks to the amount of $409,000.

Unquestionably there is no moral or legal liability on the part of the State to redeem these fraudulent issues, or any part thereof, and the theory upon which the said sum of $1,000 was expended, was that it was better to pay that amount to procure the surrender of the $375,000 before mentioned, than to prosecute a suit to compel their surrender. I am informed that the testimony of four or five wit-

nesses would amply show the fraudulent character of the remainin Stocks, amounting to $409,000; and I respectfully recommend tha authority be given to commence proceedings to perpetuate the test mony of the witnesses before alluded to.

Mr. McDonald expresses a willingness to appear before any com mittee to whom this subject may be referred for the purpose explaining the propriety and necessity of the expenditure necessar to procure the surrender of the Stocks cancelled as aforesaid.

I therefore recommend that the subject be referred to the appr priate committee, and that Mr. McDonald be invited to appear befo it, and give such further explanation as may be desired.

(Signed) CONRAD BAKER,
Lieut. Governor, Acting as Governor.

INDIANAPOLIS, December 11, 1865.

To His Excellency, Governor Conrad Baker:

SIR:—On the 27th of February, 1865, the undersigned, Commi sioner to investigate the condition of the fraudulent Indiana 5 p cent Stocks, reported the then condition of said Stocks to His Exce lency, Governor O. P. Morton. By reference to that report it w be seen that the undersigned had succeeded in cancelling $362,000 said Stocks, and that there remained still outstanding the followi amounts, on deposite with the following banks and individuals:

Park Bank	$375 00
Atlantic Bank	15 00
Manhattan Savings Institution	70 00
James Crankhite	20 00
L. W. Jerome	304 00
	$784 00
Since that time the undersigned has secured the surrender and cancellation of Bonds held by the Park Bank	$375 00
Leaving still outstanding	$409 00

Of this amount it will be seen that all but $105,000 are held G. W. Jerome.

In making up a statement of the sums for which it is claimed that these Stocks are pledged to the present holders, the undersigned, in the former report, set down the amounts as follows:

Park Bank	$800 to $1,000
Atlantic Bank	9,000
Manhattan Savings Institution	20,000
James Cronkhite	3,000

Since that time the undersigned has been informed by James Cronkhite that the sum still due him from the estate of Samuel Hallett is $9,000, and that the Bonds held by him are the only security he has for said sum. As to the other sums in said statement, the undersigned has no correction to make.

To procure the cancellation of the bonds held by the Park Bank, the undersigned found it necessary to expend the sum of $1,000; this was done under the advice and consent of Governor Morton, and in the opinion of the undersigned was much better than to have attempted, at that time, to compel their cancellation by suit. The voucher for the amount so paid is herewith submitted.

As to such of these bonds as still remain uncancelled, there is no present prospect of their voluntary surrender.

As was stated in the former report, the holders profess to look to the State for the final payment of what is due from the estate of Samuel Hallett to them, before they will give the bonds up to the State.

The undersigned has always been of opinion that no legal liability rested upon the State on account of these bonds, and therefore has, at all times, discouraged the idea that the State would in any manner recognize their validity, and, in answer to all inquiries on the subject, has so stated to the parties holding them. He has no doubt but that the State may at any time, by suit against the holders, compel their cancellation as forgeries, but for reasons stated in his former report, as well as from want of any direct authority from the State to bring suit, no such suit has been brought. Another consideration operated to prevent this course from being taken. The time was near at hand when the State would have the right to call in all the 5 per cent. stocks issued by her, and it was thought that if the State should find herself in a condition to do so, that on and after the 19th day of January, 1866, all of that class of her securities would be taken up, either by redemption or the exchange for them of coupon bonds. In making these changes the fraudulent might be left in a condition where no

further harm could arise to the State or any individual on account of them.

It will be seen that much the larger portion of these bonds outstanding are in the hands of G. W. Jerome. The other holders without doubt took those they hold without any knowlekge of their character, and it may be that Mr. Jerome was ignorant in the beginning that the stocks he was dealing in were not genuine, but the facts in the possession of the undersigned lead him to believe that long before the public exposure, Mr. Jerome was fully cognizant of their character. So far as the legal liability of the State is concerned, it can make no difference whether the parties dealt in those bonds in ignorance of their character or not, as there can be no property acquired in forged paper by any one. As to such paper there can be no innocent holder. Every one deals in it at his peril. Some of the holders have expressed a willingness to lose some part of their claims upon the estate of Samuel Hallet if the State would provide for the balance, and the undersigned has no doubt that all would willingly do so, but the undersigned has not felt at liberty to entertain any such proposition, and he refers to it now, that your Excellency may submit to the General Assembly the whole matter, and to consider how far the State might be willing to go to relieve such of the holders as have in ignorance become possessed of bonds apparently good, but in fact false and forged; also the propriety of bringing suit for their cancellation against such of the parties as may still persist in witholding them, or at least to take such steps as may be necessary to preserve as much of the testimony relating to them as is in parol.

Since the last report, in addition to the correspondence with parties in the city of New York, two trips have been made to the city in connection with this business, for which the undersigned submits his account. Should anything further, concerning this subject, come to the knowledge of the undersigned, he will take pleasure in submitting it, all of which is respectfully submitted.

J. E. McDONALD,
Commissioner.

[Voucher No. 1.]

New York, December 4, 1865.

Received of J. E. McDonald, one thousand dollars, for expenses on account of Indiana Bonds.

(Signed,) J. E. Burwell.

[Voucher No. 2.

The State of Indiana to Joseph E. McDonald, Dr.

o fee for professional services under Joint Resolution of the Legislature in relation to fraudulent issue of State Bonds:

ct., 1863—To trip to New York..	$250	00
To expenses of same	125	00
ec., 1863—To trip to New York	250	00
To expenses of same	125	00
Total	$750	00

(Three hundred and eighty-five thousand of bonds taken up and stroyed.)

Which was referred to the Committee on Ways and Means, with structions to incorporate the amounts claimed, in the specific propriation bill.

By Mr. Kilgore:

House bill No. 324. A bill to authorize a change of venue from e Common Pleas to the Circuit Court, and declaring an emergency.

Which was read a first time, and referred to the Committee on the udiciary.

By Mr. Gleason:

House bill No. 325. A bill to amend sections 16 and 17, of an t entitled, "an act to authorize the construction of levies and ains," approved June 12, 1852; and to add supplemental sections said act, subjecting incorporated towns, cities or railroad comnies to assessment, and declaring an emergency.

Which was read a first time, and referred to the Committee on wamp Lands.

ORDERS OF THE DAY.

Mr. Buskirk moved to suspend the order of business, and take up ouse bill No. 6.

Which was not agreed to.

Mr. Hogate, by consent, presented a claim from Browning & Sloan, r $2 00.

Which was referred to the Committee on Claims.

By. Mr. Church:

House bill No. 326. A bill to apportion Senators and Representatives for the State of Indiana.

Which was read a first time, and passed to a second reading.

Mr. Newcomb moved to suspend the order of business, and take up House bills on third reading.

Which was agreed to.

House bill No. 6 was taken up, and,

On motion by Mr. Buskirk,

Was postponed, and made the order of the day for this afternoon, at 2 o'clock.

Mr. Branham gave notice that on to-morrow he would move to change the morning hour from 11 to 10 o'clock.

HOUSE BILLS ON THIRD READING.

House bill No. 95. A bill to enable railroads to alter their lines in certain cases,

Was, by unanimous consent, taken up, together with amendments heretofore reported.

Mr. Higgins offered the following amendment:

And provided, That if any Railroad Company propose to change any part of their track for a distance of more than one mile, or seek to re-locate their road, shall previous to any such change or relocation pay to the owner or owners of any real estate lying along or near the route or line of said road, from which said track is proposed to be taken, all damages that may occur to such owner, or owners, on account of such removal. Said damages shall be assessed in the same manner as lands taken for railroad purposes, in pursuance to the statutes now in force in this State; and said damages shall be assessed and paid to the owner or owners of said lands, or paid into the county treasury to the credit of the owner, or owners, of said lands, previous to the change or relocation of said railroads.

Which was agreed to.

The amendment, as reported from the committee, was agreed to.

The bill was considered as engrossed, read a third time, and,

The question being, shall said bill pass?

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Branham, Brown, Burnes, Burton, Buskirk, Church, Cox, Ferris, Foulke, Glazebrook, Gleason, Goodman, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Hargrove, Henricks, Higgins, James, Kilgore, Lane, Litson, Lockhart, Major, Miller, McVey, Newcomb, Olleman, Rhoads, Richardson, Riford, Sabin, Shucy, Sim, Stewart, Stivers, Stringer, Stuckey, Sullivan of P. & V., Veach, Weikel, Welch, Woods, Zeigler and Mr. Speaker—50.

Those who voted in the negative were,

Messrs. Bonner, Boyd, Chambers, Coffroth, Collins, Cowgill, Croan, Crook, Davidson, Dunham, Gregg, Hoover, Howard, Humphreys, Hunt, Lee, Lemon, Lopp, Milroy, Montgomery, O'Brien, Osborn, Patterson, Perigo, Prather, Reese, Richards, Roach, Shoaff of Allen, Shoaff of Jay, Stenger, Sullivan of Scott, Thatcher, White and Wright—35.

So the bill failed to pass for want of a constitutional majority.

A message from the Senate by Mr. Wilson, their Secretary.

Mr. Speaker:

I am directed by the President of the Senate to inform the House of Representatives that he has signed enrolled act No. 212 of the House of Representatives, which is herewith respectfully returned.

Also, that the Senate has passed the following concurrent resolution of the House, to-wit:

Whereas, the State Capitol buildings contain certain valuable records and archives of the State, the loss of which would be irreparable; therefore, be it

Resolved by the House of Representatives, (the Senate concurring,) That the Joint Committee on Public Buildings be, and they are hereby instructed to confer with the Governor, Adjutant General, Clerk of the Supreme Court and State Librarian, as to the present plan of guarding the Capitol buildings, and whether additional measures

should be taken for the security of the public records and archives under their charge; and said committee is directed to report by bill or otherwise.

Also, that the Senate has passed engrossed House bill No. 123, relating to the reconstruction of county seats, with the following engrossed amendments thereto, to-wit:

[Copy of amendments not furnished.—STATE PRINTER.]

House bill No. 41, a bill to legalize sales by Guardians, and orders defective in not prescribing notice,

Was read a third time.

The question being, shall said bill pass?

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Bonner, Branham, Brown, Burnes, Burton, Buskirk, Chambers, Church, Cowgill, Cox, Crook, Davidson, Ferris, Foulke, Glazebrook, Gleason, Goodman, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Henricks, Hershey, Hogate, Hoover, Howard, Humphreys, Hunt, James, Kilgore, Lane, Major, Miller, Montgomery, McVey, Newcomb, O'Brien, Olleman, Osborn, Rhoads, Richards, Richardson, Riford, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Stewart, Stenger, Stivers, Stringer, Stuckey, Sullivan of P. and V., Upson, Veach, Weikel, White, Wright, Woods, Zeigler and Mr. Speaker—64.

Those who voted in the negative were,

Messrs. Coffroth, Collins, Croan, Dunham, Gregg, Hargrove, Lemon, Litson, Lopp, Milroy, Perigo, Pinney, Prather, Reese, Roach and Thatcher—16.

The question being, shall the title, as read, stand as the title of said bill?

It was so ordered.

So the bill passed.

Ordered That the Clerk inform the Senate thereof.

House bill No. 87. A bill to amend section one of an act entitled "an act to amend an act to revise, simplify and abridge the rules,

practice, pleadings and forms, in civil cases, in the courts of this State; to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1852, approved February 2, 1865,

Was taken up and read a third time, and,

The question being, shall said bill pass?

Those who voted in the affirmative were,

Messrs. Abbett, Bonner, Boyd, Buskirk, Caldwell, Chambers, Church, Coffroth, Collins, Croan, Davidson, Humphreys, Lemon, Miller, Milroy, Newcomb, O'Brien, Richardson, Sabin, Shuey, Sim, Stenger, Stringer, Stuckey, Thatcher, Veach, Woods and Mr. Speaker—28.

Those who voted in the negative were,

Messrs. Atkinson, Brown, Cowgill, Cox, Crook, Dunham, Ferris, Foulke, Glazebrook, Gleason, Goodman, Gregory of Warren, Griffith, Groves, Hamrick, Hargrove, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, Hunt, Lane, Lee, Litson, Lopp, Major, Montgomery, McVey, Olleman, Osborn, Perigo, Pinney, Prather, Reese, Rhoads, Riford, Roach, Shoaff of Allen, Shoaff of Jay, Stewart, Stivers, Sullivan of Scott, Sullivan of P. and V., Upson, Weikel, Welch, White, Wright and Zeigler—51.

So the bill was lost.

Mr. Shoaff, of Allen, obtained leave to offer the following resolution:

Resolved, That the State Librarian be, and is hereby authorized to draw from the State Treasury the further sum of two hundred dollars, out of the money appropriated for legislative expenses, for the purpose of procuring postage stamps to furnish to members of this House, on stationery account.

Mr. Groves moved the previous question, which was seconded by the House.

The question being, shall the main question be now put?

It was so ordered.

The question being on the motion made by Mr. Shoaf, of Allen,
It was agreed to.

On motion by Mr. Buskirk,
House bill No. 123 was taken from the table and placed on the files.

Mr. Montgomery, from the Joint Committee on Enrolled Bills, made the following report:

MR. SPEAKER:

The Joint Committee on Enrolled Bills beg leave to report that at 12 o'clock, on the 14th day of December, 1865, they presented to His Excellency the Governor, for his signature, enrolled House bill No. 212.

On motion by Mr. Milroy,
The House adjourned.

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2 O'CLOCK, P. M.

The House met.

Mr. Henricks in the chair.

Mr. Branham moved to suspend the regular order of business and take up House bill No. 313.
Which was agreed to.

House bill No. 313. A bill to abolish the offices of President and Commissioners of the Sinking Fund, transferring said Sinking Fund and the management thereof to the Auditor and Treasurer of State, and defining their duties in relation thereto; providing for the investment of the Sinking Fund in the stocks of the State, the execution of non-negotiable bonds in certain cases, and for the distribution of interest accruing to said Sinking Fund, and declaring an emergency.
Was taken up and read a second time.

Mr. Branham offered the following amendment.

Sec. —. It is hereby made the duty of the Auditor and Treasurer of each county in this State, to pay into the State Treasury, all the money in their respective county treasuries belonging to the common school fund of this State, except the congressional township school fund, and as fast as the loans become due, and are paid in, the money shall be paid into the State Treasury as other funds are paid in. The county Treasurer making such payment, shall state specifically the amount so paid, and that it is a part of the common school fund that was held in trust by said county. Upon the receipt of such money into the State Treasury, it shall be the duty of the Auditor of State to give to the officer making such payment, a receipt for the same, in the manner now prescribed by law, and he shall state in said receipt, that it is a part of the common school fund that was held by such county. It shall be the duty of the Auditor and Treasurer of State, to place such amounts so paid in, to the credit of the State Debt Sinking Fund, and shall be, by them, invested in the Bonds or certificates of stocks of the State, as other school funds are to be invested under the provisions of this act.

Which bill and amendments, on motion by Mr. Branham, were referred to the Committee on Ways and Means, and made the order for the day, for to-morrow morning at 10 o'clock.

A message from the Governor, by Mr. Jacobs, his private secretary.

Mr. Speaker:

I am directed by His Excellency, the Governor, to inform your honorable body that he has approved and signed enrolled House bill No. 212, entitled, "an act to legalize the appraisement of real estate made under the provisions of an act entitled, 'an act to provide for the appraisement of real estate, and prescribing the duties of officers in relation thereto,'" approved December 21, 1858; and the assessment and levy of taxes made, and hereafter to be made on such appraisements; and that the same has been deposited in the office of the Secretary of State.

Mr. Coffroth moved to suspend the order of business and take up House bill No. 254.

Mr. Brown moved to include House bill No. 237.

Which was agreed to.

The question being on the motion of Mr. Coffroth,
It was agreed to.

House bill No. 254. A bill to amend the 5th, 14th and 17th sections of an act entitled "an act incorporating the town of Huntington," approved ——— 16th, 1848,
Was taken up, read a third time, and,

The question being, shall said bill pass?

Those who voted in the affirmative were,

Messrs. Atkinson, Bird, Bonner, Brown, Burnes, Burton, Burwell, Buskirk, Caldwell, Coffroth, Collins, Cowgill, Cox, Croan, Crook, Davidson, Dunham, Ferris, Foulke, Gleason, Goodman, Gregg, Gregory of Warren, Griffith, Groves, Hamrick, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, Hunt, Kilgore, Lane, Lasselle, Lemon, Liston, Lopp, Major, Miller, Newcomb, O'Brien, Osborn, Patterson Perigo, Pinney, Prather, Reese, Rhoads, Rice, Richards, Richardson, Riford, Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Spencer, Stewart, Stenger, Stucky, Sullivan of Scott, Sullivan of P. and V., Thatcher, Upson, Veach, Weikel, Welch, White, Wright, Woods, Zeigler and Mr. Speaker—78.

None voting in the negative.

The question being, shall the title as read stand as the title of said bill.
It was so ordered.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

House bill No. 137. A bill to amend section 35 of an act to provide for a general system of Common Schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of Township Libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed, approved March 6, 1865,
Was taken up.

Mr. Buskirk moved the previous question.
Which was seconded by the House.

The question being, shall the main question be now put?
It was so ordered.

House bill No. 237 was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Bird, Boyd, Branham, Brown, Buskirk, Caldwell, Coffroth, Collins, Cowgill, Davidson, Dunham, Ferris, Gleason, Goodman, Gregg, Gregory of Montgomery, Groves, Hargrove, Harrison, Henricks, Hershey, Higgins, Hoover, Howard, Humphreys, Hunt, Kilgore, Lasselle, Lee, Lemon, Liston, Lopp, Major, Miller, Montgomery, Newcomb, O'Brien, Olleman, Osborn, Patterson, Perigo, Pinney, Prather, Reese, Rice, Richards, Richardson, Riford, Roach, Shoaff of Allen, Shoaff of Jay, Stenger, Stivers, Stringer, Sullivan of P. and V., Thatcher, Trusler, Veach, Weikel, Welch, White, Woods, Wright and Mr. Speaker—67.

Those who voted in the negative were,

Messrs. Bonner, Burnes, Burton, Burwell, Chambers, Cox, Croan, Crook, Foulke, Glazebrook, Gregory of Warren, Griffith, Hogate, James, Lane, Lockhart, McVey, Rhoads, Sabin, Shuey, Sim, Spencer, Stewart, Stuckey, Sullivan of P. and V., Upson, and Zeigler—27.

The question being, shall the title as read stand as the title of said bill.
It was so ordered.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Ferris moved to suspend the order of business and take up Senate bill No. 66,
Which was agreed to.

Senate bill No. 66. A bill to amend section 11 of an act entitled "an act to fix the times of holding the Common Pleas Court in the several counties of this State, creating a new district, providing for the election of a judge therein, the duration of the terms thereof, and making all process from the present Common Pleas Court return-

able to such terms, declaring when this act shall take effect, and repealing all laws inconsistent therewith," approved March 5, 1859,

Was taken up.

Mr. Ferris moved to refer the bill to a special committee, with the following instructions:

Amend by attaching Ripley county, and providing for three terms of four weeks each, so as not to interfere with the term of the Circuit Court, which commences on the fourth Monday of February and August.

Which was agreed to.

SPECIAL ORDER.

The hour having arrived,

House bill No. 6. A bill to establish an Agricultural College, wherein shall be taught such branches of learning as are related to agriculture, including the mechanic arts and military tactics. Also, such other branches of science and literature as the General Assembly, or the Trustees of said College shall direct, and to appropriate funds for its endowment, support, and maintenance, and to provide a Board of Trustees for its management,

Was taken up.

The question being on the adoption of the following amendment by Mr. Pettit:

Mr. Pettit offered the following amendment:

The Governor is directed and required to appoint a commission, consisting of five discreet persons, selected equally from the several parts of the State, well acquainted with agricultural and mechanical industry, which commissioners, having been first qualified by an oath faithfully to discharge the duties of such commission, shall proceed, and by personal examination and comparison, fix the location of the Indiana Agricultural College, provided for by the act of the General Assembly, approved March 6, 1865, having reference to the following conditions and considerations as indispensable, to-wit: That the location of the College shall be fixed with reference to the healthfulness of the vicinity, ease of access from all parts of the State, and the importance and prosperity of mechanical and agricultural

industry of the place where it shall be fixed, and in the surrounding country. That there shall be first donated, for the purpose of the College, a quantity of land not less than one hundred acres, of indisputable title, which, including suitable buildings thereon, or the value of agreements with reference to buildings to be erected thereon, or agreements with reference to buildings, or other property, useful and proper for such a college, shall, at the time, be of the fair value of one hundred thousand dollars. But such location shall not be finally fixed by such Commissioners until first, such grants, donations, and agreements shall have been made complete by conveyance or delivery; nor shall any agreement whatever, in regard to the erection of buildings or donation of any property, be accepted without sufficient freehold surety for their execution, satisfactory to such Commissioners. And such Commissioners are hereby authorized, on behalf of the State, and in its name, to accept such grants, donations, conveyances and agreements.

Said Commissioners, when said location shall be so fixed, shall make several certified reports thereof to the Governor of the State and the Trustees of the Indiana Agricultural College; which said Trustees shall, at once, take charge of the land, and other property and agreements, and the same shall thereafter be the absolute property of the State, and shall be the Indiana Agricultural College, created by the act of March 6, 1865.

Mr. Branham moved the previous question.
Which was seconded by the House.

The question being, shall the main question be now put?
It was so ordered.

On motion by Mr. Pettit,
A call of the House was ordered, when the following members answered to their names:

Messrs. Abbett, Atkinson, Bird, Bonner, Boyd, Branham, Brown, Burnes, Burton, Burwell, Buskirk, Caldwell, Chambers, Church, Coffroth, Collins, Cowgill, Cox, Croan, Crook, Davidson, Dunham, Ferris, Foulke, Glazebrook, Gleason, Goodman, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, Humphreys, Hunt, James, Kilgore, Lane, Lasselle, Lee, Lemon, Litson, Lockhart, Lopp, Major, Miller, Milroy, Montgomery, McVey, Newcomb, O'Brien, Olleman, Osborn, Patterson, Perigo, Pinney, Prather, Reese, Rhoads,

Rice, Richards, Richardson, Riford, Roach, Sabin, Shoaff of Allen Shoaff of Jay, Shuey, Sim, Spencer, Stewart, Stenger, Stivers, Strinnger, Sullivan of Scott, Sullivan of P. and V., Thatcher, Trusler, Upson, Veach, Weikel, Welch, White, Wright, Woods, Zeigler and Mr Speaker—95.

There being a quorum present, a further call of the House was dispensed with.

The question being on the adoption of the amendment offered by Mr. Pettit,

Messrs. Pettit and Buskirk demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Atkinson, Bonner, Branham, Burnes, Caldwell, Church Collins, Cowgill, Cox, Davidson, Ferris, Foulke, Glazebrook, Gleason Gregory of Montgomery, Gregory of Warren, Henricks, Hershey Higgins, Hoover, James, Kilgore, Lane, Lockhart, Major, Miller Milroy, Montgomery, McVey, Newcomb, Prather, Reese, Rice, Riford Sabin, Shoaff of Allen, Shuey, Sim, Stewart, Stivers, Sullivan of P and V., Trusler, Upson, Woods, Zeigler and Mr. Speaker—46.

Those who voted in the negative were,

Messrs. Abbett, Bird, Boyd, Brown, Burton, Burwell, Buskirk Chambers, Coffroth, Croan, Crook, Dunham, Goodman, Gregg, Griffith, Groves, Hargrove, Harrison, Hogate, Howard, Humphrey Hunt, Lasselle, Lee, Lemon, Litson, Lopp, O'Brien, Olleman, Osborn Patterson, Perigo, Pinney, Rhoads, Richards, Richardson, Roach Shoaff of Jay, Spencer, Stenger, Stringer, Stuckey, Sullivan of Scott Thatcher, Veach, Weikel, Welch, White and Wright—49.

So the amendment was not adopted.

Mr. Buskirk moved to recommit the bill.

Mr. Sim moved to amend by inserting "Richmond," instead "Bloomington."

Mr. Griffith moved to insert "Battle Ground."

The question being on motion to insert "battle ground."

Messrs. Griffith and Buskirk demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Atkinson, Bonner, Branham, Caldwell, Church, Coffroth, Collins, Cowgill, Cox, Croan, Davidson, Ferris, Foulke, Glazebrook, Gleason, Gregory of Montgomery, Gregory of Warren, Griffith, Henricks, Hershey, Higgins, Hoover, James, Kilgore, Lane, Lockhart, Major, Miller, Milroy, Montgomery, McVey, Prather, Riford, Sabin, Shoaff of Allen, Shuey, Stewart, Stivers, Sullivan of P. and V., Trusler, Upson, Woods, Zeigler and Mr. Speaker—44.

Those who voted in the negative were,

Messrs. Abbett, Bird, Boyd, Brown, Burnes, Burton, Burwell, Buskirk, Chambers, Crook, Dunham, Goodman, Gregg, Groves, Hargrove, Harrison, Hogate, Howard, Humphreys, Hunt, Lasselle, Lee, Lemon, Litson, Lopp, Newcomb, O'Brien, Olleman, Osborn, Patterson, Perigo, Reece, Rice Richards, Richardson, Roach, Shoaff of Jay, Sim, Spencer, Stenger, Stringer, Stuckey, Sullivan of Scott, Thatcher, Veach, Weikel, Welch, White and Wright—49.

So the motion did not prevail.

The question being on inserting "Richmond."

Messrs. Sim and Griffith demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Atkinson, Bonner, Branham, Caldwell, Chambers, Collins, Cowgill, Cox, Ferris, Foulke, Glazebrook, Gregory of Montgomery, Gregory of Warren, Henricks, Hershey, Higgins, James, Kilgore, Lane, Major, Miller, Montgomery, McVey, Newcomb, Reese, Riford, Shuey, Sim, Stewart, Sullivan of P. and V., Trusler, Upson, Woods, Zeigler and Mr. Speaker—35.

Those who voted in the negative were,

Messrs. Abbett, Bird, Boyd, Brown, Burnes, Burton, Burwell, Buskirk, Church, Coffroth, Croan, Crook, Daividson, Dunham, Gleason, Goodman, Gregg, Griffith, Groves, Harrison, Hargrove, Hogate, Hoover, Howard, Humphreys, Hunt, Lasselle, Lee, Lemon,

Litson, Lockhart, Lopp, O'Brien, Olleman, Osborn, Patterson, Perigo, Pinney, Prather, Rhoads, Rice, Richards, Richardson, Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Spencer, Stenger, Stivers, Stringer, Stuckey, Sullivan of Scott, Thatcher, Veach, Weikel, Welch, Whit and Wright—59.

So the motion did not prevail.

The bill was then recommitted to a special committee of fiv members.

A message from the Senate, by Mr. Wilson, their Secretary.

Mr. Speaker:

I am directed by the President of the Senate, to inform the Hous of Representatives, that the Senate has passed the following en grossed bills thereof, to-wit:

Engrossed Senate bill No. 164. Entitled an act, touching th disposition of lots, streets, alleys, public squares and grounds withi the corporate limits of any incorporated city heretofore vacated hereafter to be vacated.

Also, engrossed Senate bill No. 247. Entitled "an act authorizin plank macadimized and gravel road companies to enter upon adjacen lands and appropriate and remove earth, stone, timber and gravel fo the construction for their roads and matters properly connecte therewith and declaring an emergency."

Mr. Rhoads moved to suspend the order of business and take u House bills Nos. 245 and 217.

Which was not agreed to.

Mr. Olleman moved to take up House bills on third reading.

Which was agreed to.

Messrs. Meredith and Woodruff obtained leave of absence account of sickness.

Mr. Chambers, from the Committee on Engrossed Bills, made th following report:

Mr. Speaker:

The Committee on Engrossed Bills have instructed me to repo

hat they have examined engrossed House bills Nos. 269, 275, 136, 95, 293, 297, 99, 261, 77, 299, 248, 236, 286, 282, 262, 259, 257, 51, 264, 256, 18, 217, 207, 247, 272 and 268; and Joint Resolutions Nos. 3 and 21, with the original bills, and find the same correctly engrossed.

House bill No. 117. A bill to amend sections 39, 42, 45 and 54 of an act entitled "an act for the incorporation of insurance companies, defining their powers, and prescribing their duties," approved June 17, 1852.

Was taken up and read a third time.

Mr. Groves moved the previous question.

Which was seconded by the House.

The question being, shall the main question be now put?

It was so ordered.

The question being, shall said House bill No. 117 pass?

Those who voted in the affirmative were,

Messrs. Atkinson, Bird, Burton, Buskirk, Caldwell, Chambers, Coffroth, Cox, Croan, Davidson, Ferris, Foulke, Gleason, Goodman, Gregory of Warren, Griffith, Hamrick, Hargrove, Harrison, Hoover, Howard, Hunt, James, Kilgore, Litson, Lopp, Major, Milroy, Montgomery, McVey, Newcomb, O'Brien, Olleman, Osborn, Pinney, Prather, Reese, Rhoads, Rice, Richards, Richardson, Riford, Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Sim, Spencer, Stenger, Stringer, Sullivan of Scott, Sullivan of P. and V., Thatcher, Upson, Veach, Welch, White, Wright and Mr. Speaker—59.

Those who voted in the negative were,

Messrs. Abbett, Bonner, Boyd, Branham, Burnes, Burwell, Church, Collins, Crook, Glazebrook, Gregg, Groves, Henricks, Hershey, Higgins, Lane, Lee, Lemon, Lockhart, Miller, Perigo, Shuey, Stewart, Stivers, Stuckey, Trusler, Weikel and Woods—28.

The question being shall the title, as read, stand as the title of said bill?

It was so ordered.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Gregory, of Warren, moved that when the House adjourn, it meet this evening at 7 o'clock.

Which was agreed to.

On motion by Mr. Spencer,

The House adjourned.

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7 o'clock P. M.

The House met.

Mr. Sim, by unanimous consent, offered the following resolution:

Resolved, That the use of this hall be tendered Major General Grose, on Thursday night next, for the purpose of addressing the people upon the political issues of the day.

Which was concurred in.

Mr. Thatcher, by consent, offered the following resolution:

Resolved, That there be added to the special committee on Senate bill No. 66, the members from Henry, Hancock and Madison counties.

Which was agreed to.

Mr. Cowgill moved to suspend the order of business and take up House bill No. 299.

Which was agreed to.

House bill No. 299. A bill to legalize the official acts of certain officers therein named, and the acts of their deputies, as such while the principals were performing military service in the army of the United States.

Was taken up and read a third time.

By unanimous consent, the words "Recorder or Surveyor," were inserted in their proper places in the bill.

The question being, shall said bill pass?

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Bonner, Boyd, Brown, Burnes, Burton, Burwell, Buskirk, Caldwell Church, Collins, Cowgill, Cox, Croan, Crook, Davidson, Ferris, Foulke, Gleason, Goodman, Gregg, Gregory of Warren, Griffith, Groves, Hamrick, Harrison, Hershey, Hoover, Howard, Humphreys, Hunt, Kilgore, Lane, Lesselle, Lockhart, Major, Miller, Milroy, Montgomery, McVey, O'Brien, Olleman, Osburn. Patterson, Pinney, Prather, Reese, Rhoads, Rice. Richards, Richardson, Riford, Roach, Shoaff of Allen, Shuey, Sim, Spencer, Stewart, Stenger, Stivers, Stuckey, Sullivan of Scott, Thatcher, Trusler, Upson, Veach, Weikel, Welch, White, Wright, Woods, Zeigler and Mr. Speaker—74.

Those who voted in the negative were,

Messrs. Lemon, Newcomb, Perigo and Sabin—4.

The question being, shall the title, as read, stand as the title of said bill?

It was so ordered.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

The Speaker announced the following additional members to committee on Senate bill No. 66:

Messrs. Thatcher, White, Chambers and Croan.

SPECIAL ORDER.

The hour having arrived,

House bill No. 208. A bill to amend the first and tenth section, of "an act to provide for a general system of common schools, the officers thereof, and their respective powers, and duties, and matters properly connected therewith, and prescribing the fees for certain officials therein named, and for the establishment and regulation of Township Libraries, and to repeal all laws inconsistant therewith, providing penalties therein prescribed," approved March 6. 1865.

Was taken up.

The amendments heretofore reported by a majority of the Committee on Education, were read:

An act to amend an act entitled "an act to provide for a general system of common schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith and prescribing the fees for certain officers therein named and for the establishment and regulation of Township Libraries, and to repeal all laws inconsistant therewith, providing penalties therein prescribed," approved March 6th, 1865, and also an act supplimental thereto providing for the separate enumeration of colored children, prescribing the duties of Township Trustees in relation thereto, and declaring an emergency.

Section 1. *Be it enacted by the General Assembly of the State of Indiana*, That section first of the above recited act which reads as follows:

"*Be it enacted by the General Assembly of the state of Indiana*, That there shall be annually assessed and collected, as State and county revenues are assessed and collected, sixteen cents on each one hundred dollars of taxable property, real and personal, in the State, and fifty cents on each taxable poll, for the purpose of supporting a general system of common schools; *Provided*, *however*, That the taxes aforesaid shall not be levied and collected from negroes nor mulattoes." be so amended as to read as follows:

Be it enacted by the General Assembly of the State of Indiana, That there shall be annually assessed and collected as State and county revenues are assessed and collected, sixteen cents on each one hundred dollars of taxable property, real and personal in the State, and fifty cents on each taxable poll, for the purpose of supporting a general system of common schools.

SEC. 2. *Be it further enacted*, That the Trustees of the several townships, towns and cities, shall between the first day of July and the first day of September in each year, makes an examination of the colored children, within their respective townships, towns or cities, said enumeration shall be kept seperate and distinct from the enumeration of white children, in a book provided for that purpose and shall state the number of such colored children within their respective townships, towns and cities, exclusive of maimed persons, and the

provisions of section fourteen of said act, approved March 6, 1865, shall in all respects apply to the provisions of this act.

Sec. 3. *Be it further enacted*, That when such persons as are mentioned in this act can be better accommodated at the school of an adjoining township or district, or of any incorporated town or city, the Trustees of the township, town, or city, in which such persons reside, shall if such persons so request at the time of making the enumeration, transfer them for educational purposes to such township, town, or city, and notify the Trustee of such transfer, which notice shall furnish the enumeration of the children of the persons so transferred, and each Trustee shall with his report of the enumeration, report distinctly the persons so transferred to his township town, or city, for school purposes, indicating in said report the number of children in charge of the persons so transferred with the same particularity that is observed in the enumeration.

Sec. 4. *Be it further enacted*, That in any school district where there is a sufficient number of colored children to form a school, or a district can be formed containing a sufficient number of school children to form a school, the township trustees in which said district is situated, or if said district is formed from more than one township or district, then the trustees of the township from which such district is formed, shall provide a school for such colored children, and expend their proper proportion of the school funds for the benefit of such schools.

Sec. 5. It is hereby declared that an emergency exists for the immediate taking effect of this act; it shall therefore take effect and be in force from and after its passage.

Mr. Buskirk offered the following amendment:

Amend the —— section by striking out the words "their proper proportion of the school fund," and insert "shall expend in the support and maintenance of the schools for the education of the colored children, all the money derived from the taxes collected from colored persons."

The question being on Mr. Buskirk's amendment to the amendment.

Mr. Buskirk moved the previous question.

Which was seconded by the House.

The question being, shall the main question be now put?

It was so ordered.

The question being on the amendment by Mr. Buskirk,

Messrs. Buskirk and Gregory demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Abbett, Bird, Boyd, Brown, Burton, Burwell, Buskirk, Coffroth, Collins, Croan, Crook, Davidson, Dunham, Goodman, Gregg, Groves, Harrison, Hoover, Howard, Humphreys, Hunt, Lane, Lee, Lemon, Litson, Lopp, Milroy, O'Brien, Osborn, Patterson, Perigo, Pinney, Richards, Richardson, Roach, Shoaff of Allen, Stenger, Stuckey, Sullivan of Scott, Thatcher, Veach, Weikel, Welch, White and Wright—45.

Those who voted in the negative were,

Messrs. Atkinson, Bonner, Burnes, Caldwell, Chambers, Church, Ferris, Foulke, Gleason, Gregory of Warren, Hamrick, Henricks, Hershey, Hogate, Kilgore, Lasselle, Lockhart, Major, Montgomery, McVey, Newcomb, Olleman, Prather, Reese, Rhoads, Rice, Riford, Shuey, Stewart, Stivers, Trusler, Upson, Woods, Zeigler, and Mr. Speaker—35.

So the amendment was adopted.

The question being on the amendment as reported by the majority of the Committee on Education,
It was not agreed to.

Mr. Olleman moved that the whole subject be indefinitely postponed.

Mr. Olleman moved the previous question.
Which was not seconded by the House.

Mr. Rhoads moved to suspend the order of business, to allow him to introduce a resolution.
Which was not agreed to.

Mr. Hamrick moved to postpone the further consideration of said House bill No. 208 till to-morrow evening at 7 o'clock, and make it the special order for that hour.

Mr. Hamrick moved the previous question.
Which was seconded by the House.

The question being, shall the main question be now put?
It was so ordered.

The question being on postponing till to-morrow evening at seven o'clock, and make said bill the special order for the day for that hour,
It was agreed to.

On motion by Mr. Hamrick,
The House adjourned.

FRIDAY MORNING, 9 o'clock, }
December 15, 1865. }

The House met pursuant to adjournment.

The Speaker ordered a call of the House, when the following members answered to their names:

Messrs. Bonner, Boyd, Burnes, Collins, Cook, Cowgill, Croan, Crook, Davidson, Ferris, Foulke, Glazebrook, Gleason, Goodman, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Hargrove, Harrison, Henricks, Hershey, Hogate, Hoover, Howard, Hunt, James, Kilgore, Lane, Lee, Litson, Lockhart, Major, Milroy, Montgomery, McVey, Newcomb, O'Brien, Olleman Osborn, Patterson, Perigo, Pinney, Prather, Reese, Rhoads, Richards, Richardson, Riford, Sabin, Shoaff of Allen, Shuey, Sim, Spencer, Stewart, Stenger, Stringer, Stuckey, Thatcher, Trusler, Upson, Veach, Weikel, White, Wright, Woods, Zeigler and Mr. Speaker—67.

A quorum being present, a further call was dispensed with.

The Clerk proceeded to read the Journal of yesterday, when,

On motion,
Its further reading was dispensed with.

The Journal, on motion, was approved.

PETITIONS, MEMORIALS AND REMONSTRANCES.

By Mr. Hogate:

Several claims. Messrs. Holloway, Douglas & Co., for papers, $771.75; stationery, $62.50. Messrs. Hall & Hutchinson, for papers, $771.75. Daily Telegraph Co., for papers, $514.50.

Which were referred to the Committee on Claims.

REPORTS FROM COMMITTEES.

Mr. Trusler, from the Judiciary Committee, made the following report:

MR. SPEAKER:

The Judiciary Committee, to whom was referred House bill No. 216, entitled "an act to amend the fifth section of an act entitled 'an act touching the marriage relation, and liabilities incident thereto,' approved May 31, 1852; empowering any married woman, whose husband is of unsound mind, to lease, bargain, sell, encumber and convey her real estate, as if unmarried, without the consent or joining of her husband; repealing all laws inconsistent therewith, and declaring an emergency," respectfully report that they have had the same under consideration, and, in their opinion, legislation on the subject being unnecessary, the Committee recommend that said bill be indefinitely postponed.

Which report was concurred in, and the bill indefinitely postponed.

Mr. Kilgore, from the Committee on Elections, made the following report:

MR. SPEAKER:

The Committee on Elections, to whom was referred House bill No. 37, have had the same under consideration, and have directed me to report the same back, recommending the following amendment, to wit: Strike out the word "Sentinel," in section 4, and insert "Herald;" and when so amended they recommend its passage.

Which report was laid on the table.

Mr. Newcomb, from the Committee on the Judiciary, made the following report:

MR. SPEAKER:

The Judiciary Committee, to whom was referred Senate bill No.

93, entitled "an act defining certain felonies and prescribing punishment therefor," respectfully report that they have had said bill under consideration and recommend its passage.

Which report was laid on the table.

Mr. Brown, from the Committee on the Judiciary, made the following report:

MR. SPEAKER:

The Judiciary Committee, to whom was referred House bill No. 292, entitled "an act to limit the liability of innkeepers," respectfully report that they have had the same under consideration and recommend its passage.

Which report was laid on the table.

Mr. Burnes, from the Committee on Rights and Privileges, made the following report:

MR. SPEAKER:

The Committee on Rights and Privileges, to whom was referred the memorial of citizens of Hendricks county praying for the repeal of the Black Laws, have considered the same, and a majority of said Committee recommend that the prayer of the memorial be granted.

Which report was laid on the table.

Mr. Howard, from the Committee on State Prison South, by consent, made the following report:

MR. SPEAKER:

The Committee on the State Prison South have had under consideration the subjects connected with that institution, and have directed me to report thereon as follows: The report of the Directors of the prison on the financial condition of the institution shows that on the 15th day of December, 1864, the (then) Warden of the prison reported the indebtedness thereof at $11,675.14; that at the last session of the General Assembly, $11,675.14 were appropriated to pay said indebtedness, and $12,000 to pay the current expenses, &c., for the year 1865, and the same amount for the year 1866; that on the 15th day of June, 1865, when the new administration began, all the appropriations which could be used in the year 1865, excep

$1,385.68, had been expended, and that the prison was then indebted to the amount of $4,474.21; that from the last mentioned date to the present time said indebtedness has been increased to the amount of $16,625, a detailed statement of all of which is herewith appended; that necessary repairs are now being made on the steam boiler, water tank and privy, the cost of which is estimated at $550; that during the ensuing year it will be necessary to repair the walls of the bathing pool, and purchase new hose for the fire engine, the cost of which is estimated at $750, making, in the aggregate, $17,925

The Directors further represent that, in their opinion, the sum of $2,000, in addition to the foregoing indebtedness, ought to be appropriated for the purpose of meeting contingent repairs and expenditures during the ensuing year. Wherefore it is recommended that the sum of $20,000 be appropriated for the purpose of paying the indebtedness, &c., herein above mentioned.

Indebtedness of Indiana State Prison South, December 12, 1865.

James G. Caldwell, Drugs, &c	$184 45
George W. Newman, Paints, &c.	896 09
Wm. A. Steele, Provisions	222 70
R. J. Forsyth, Provisions	116 82
Dorsey & Twomey, Provisions	202 88
Holmes & Thias, Provisions	52 57
R. Dederich, Provisions	131 15
Norman & Matthews, Stationery	147 80
I. B. Franck & Co., Soap and Candles	413 55
B. A. Johnson, Repairs on Prison, &c	328 62
Wm. E. Liston, Hardware, &c	9 50
Wm. James, Repairs on Prison, &c	196 90
Peter Myers, Lumber	170 00
R. S. Heiskell & Co., Dry Goods	102 18
A. Joseph, Bed Ticking	176 25
R. Bawn, Beef and Mutton	867 59
Wm. Jones & Co., Coal	115 00
L. Sparks & Bro., Dry Goods	166 19
S. S. Richardson, Whiskey	92 00
Henry Delinger, Corn	572 68
M. Alloway, Potatoes, Corn, &c	1,940 00
J. W. L. Matlock, Stripe Goods	8,053 32

C. D. Bailey, Clerk, Four Months Salary.....	366 66
John Wright, 50 Cords Wood.	100 00
Deficit month ending December 15, 1865.....	1,000 00
Estimate of repairs being made	550 00
Estimate of repairs for ensuing year.	750 00
Total amount of indebtedness $17,925 00	
Appropriation asked for.....$20 000 00	
Indebtedness 17,925 00	
Amount to cover contingent and other expenses..... $2,075 00	

Mr. Howard moved to refer the report to the Committee on Ways and Means, with instructions to incorporate the amount named in the Specific Appropriation Bill.

Mr. Stringer moved to strike out "$20,000" and insert "$18,000."
Which was agreed to.

The question being on the motion of Mr. Howard to commit to the Committee on Ways and Means, with instructions to incorporate the same in the Specific Appropriation Bill,

Mr. Hamrick called for a division of the question.
It was so ordered.

Mr. Stringer moved the previous question,
Which was seconded by the House.

The question being, shall the main question be now put?
It was so ordered.

The question being on committing the report to the Committee on Ways and Means,

Messrs. Miller and Goodman demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Boyd, Buskirk, Church, Collins, Cowgill, Crook, Ferris, Goodman, Gregg, Gregory of Warren, Griffith, Groves, Hamrick, Hargrove, Higgins, Howard, Hamphreys, Kilgore, Lasselle, McVey,

Newcomb, Richards, Richardson, Riford, Shuey, Sim, Spencer, Stenger, Stringer, Sullivan of Scott, Upson, Weikel and Mr. Speaker —33.

Those who voted in the negative were,

Messrs. Atkinson, Bonner, Branham, Burnes, Chambers, Coffroth, Cox, Croan, Davidson, Dunham, Foulke, Glazebrook, Gleason, Harrison, Henricks, Hershey, Hogate, Hoover, Lane, Lee, Lemon, Litson, Lockhart, Lopp, Major, Miller, Milroy, Montgomery, O'Brien, Olleman, Osborn, Patterson, Perigo, Pinney, Prather, Reese, Rhoads, Rice, Roach, Sabin, Shoaff of Allen, Stewart, Stivers, Stuckey, Thatcher, Trusler, Veach, Welch, White, Wright, Woods and Zeigler—52.

So the motion to commit did not prevail.

Mr. White moved to reconsider the vote just taken.
Which was agreed to.

The question recurring on the motion of Mr. Howard to commit with instructions to allow $18.000.

Messrs. Hamrick and Goodman demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Atkinson, Bonner, Boyd, Branham, Brown, Burnes, Buskirk, Chambers, Collins, Cox, Crook, Davidson, Ferris Foulke, Gleason, Goodman, Gregory of Montgomery, Gregory of Warren, Gregg, Griffith, Groves, Hargrove, Harrison, Higgins, Howard, Kilgore, Lemon, Litson, Milroy, McVey, Newcomb, O'Brien, Olleman, Pinney, Reese, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Spencer, Stenger, Stringer, Stuckey, Sullivan of Scott, Thatcher, Upson, Veach, Welch, White, Wright, Woods and Mr. Speaker—53.

Those who voted in the negative were,

Messrs. Abbett, Burton, Caldwell, Church, Coffroth, Cowgill, Croan, Glazebrook, Hamrick, Henricks, Hershey, Hoover, Humphrey, James, Lane, Lee, Lockhart, Miller, Montgomery, Osborn, Patterson, Perigo, Prather, Rhoads, Rice, Richards, Richardson, Roach, Stewart, Stivers, Trusler, Weikel and Zeigler—33.

So the motion to commit prevailed.

A message from the Senate, by Mr. Wilson, their Secretary.

MR. SPEAKER:

I am directed by the President of the Senate, to inform the House of Representatives, that the Senate has passed the following engrossed bills thereof to-wit:

Engrossed Senate bill No. 270, entitled "an act to amend sections eight and ten of an act regulating the fees of officers and repealing former acts in relation thereto," approved March 2, 1855.

Also, engrossed Senate bill No. 271, entitled an act to amend section 1 of an act entitled, "an act authorizing Justices of the Peace, Notaries Public, Judges of Courts, Mayors of cities and Clerks of Circuit and Common Pleas Courts, to administer oaths generally and County Auditors in certain cases, and to legalize such as may heretofore have been administered by any of said officers," approved March 9, 1861.

Also, engrossed Senate bill No. 273, entitled, "an act to legalize the action of the State Board of Equalization at its sessions in 1864, and declaring the duty of the Auditor of State in relation thereto."

Also, engrossed Senate bill No. 275, entitled, "a bill providing for extending the terms of Circuit Courts, by adjournment, calling special terms."

Also, engrossed Senate bill No. 306, entitled, "an act in relation to the vacation of streets in cities."

In which the concurrence of the House is respectfully requested.

A message from the Governor, by Mr. Jacobs, his private Secretary:

MR. SPEAKER:

I am directed by the Governor to return to the House of Representatives, in which it originated, enrolled act No. 47, with the accompanying communication stating his objections thereto.

INDIANAPOLIS, December 14, 1865.

To the House of Representatives:

I herewith respectfully return to the House of Representatives, in which it originated, with my objections thereto, enrolled act No. 47 entitled, "an act to increase the powers of the Board of Sinking Fund Commissioners, and to authorize said Board to loan any moneys belonging to said fund, and to invest any moneys belonging to said fund, in Indiana State Bonds or Stocks, and providing for the cancellation of such bonds or stocks, and the reissuing of new non-negotiable bonds or stocks, payable to said fund."

Before proceeding to state my objections to the act, I beg leave to say, that a few hours after the bill was placed in my hands I received from the Senate a copy of a resolution of that body, directing the secretary of the Senate to inform the House that House bill No. 47 was passed by the Senate, as it come from the House without any amendment thereto, and that if any amendment was believed by the House to have been made by the Senate, such belief was unfounded, and that the Senate regards the said bill as having legally passed both branches as the same was when it passed the House, and in that form will become a law on being signed by the Speaker of the House, and the President of the Senate, and approved by the Governor.

As the House has not thought proper to ask a return of the bill to the end, that any mistake might be corrected, I, of course, am reduced to the necessity of considering the bill, in the shape in which it is placed in my hands, authenticated as it is, by the signature of the President of the Senate and the Speaker of the House; I will say however, in this connection, that from the best information I possess, it is not very material whether the amendments incorporated in the bill, as presented to me, were, or were not authorized by the Senate; they do not, in my judgment, essentially change the provisions of the bill, although the harmony of the language in which those provisions were couched, may have been impared by the change. The title and first section of the bill submitted for my action, read as follows, viz:

An act to increase the powers of the Board of Sinking Fund Commissioners, and to authorize said board to loan any moneys belonging to said fund, and to invest any moneys belonging to said fund, in Indiana State Bonds or Stocks, and providing for the cancellation

of such bonds or stocks, and the reissuing of new non-negotiable bonds or stocks, payable to said fund.

Section 1. *Be it enacted by the General Assembly of the State of Indiana*, That the Board of Sinking Fund Commissioners are hereby authorized and empowered, in their discretion, to purchase any Indiana State Bonds or Stocks, with any moneys belonging to said fund, (provided it shall be the duty of said board to purchase said State Bonds in preference to loaning to individuals,) whenever such bonds can be obtained upon satisfactory terms.

This section, interpreted by the title of the bill, I understand, to vest in the Board of Sinking Fund Commissioners unlimited discretion to either invest the fund in the stocks of the State, or loan it to individuals without a single restriction as to the security that shall be required, the rate of interest that shall be reserved, the amount that shall be lent to each borrower, or the time for which the loans shall run. True the section does require the Commissioners to give the preference to investing the fund in the bonds of the State, whenever such bonds can be obtained on satisfactory terms, but as the Commissioners are the exclusive judges of what terms shall be deemed satisfactory, this requirement would practically give to the board an uncontrollable discretion as to the choice of investments, with this understanding of the provisions of the bill, I proceed to state my objections to its becoming a law:

By the 2d section of the 8th article of the Constitution, the Sinking Fund is made to constitute a part of the common school fund.

The 3d section of the same article is in these words:

"The principal of the common school fund shall remain a perpetual fund, which may be increased, but shall never be diminished; and the income thereof shall be inviolably, appropriated to the support of common schools."

The 4th section of the same article reads as follows, viz:

"The General Assembly shall invest in some safe and profitable manner, all such portion of the common school fund as have not heretofore been intrusted to the several counties; and shall make provision by law for the distribution among the several counties of the interest thereof."

The 6th section of the same article provides as follows:

"The several counties shall be held liable for the preservation of so much of said fund as may be intrusted to them, and for the payment of the annual interest thereon."

These provisions of the Constitution sacredly dedicate the Sinking Fund to the education of the children of the State, and require the Legislature to provide for the safe and profitable investment of so much thereof as had not been, previously to the adoption of the Constitution, intrusted to the several counties of the State.

It is proposed by the bill, to give the Board of Commissioners of the Sinking Fund, an unrestricted discretion to lend more than half a million of dollars of this fund, without prescribing any security, any rate of interest, any limit to the time for which the loans shall be made, or as to the amount which shall be lent to each borrower. I consider such a discretion as not in accordance with that requirement of the Constitution which demands that the investment of the fund shall be made in some safe manner; and although unsafe investments sometimes prove profitable in their results, yet discreet men, viewing things in the future, and contemplating the possible, and not the actual issues of an investment, always consider that which lacks the assurance of safety to be unprofitable. It may be said that the Board of Sinking Fund Commissioners is composed of intelligent, wise and upwright men, and I grant it all. But the theory of our institutions is, that the best of men, when acting in official stations, require the restraint of law, and this is especially true, when they are intrusted with the management of the funds of the public. Hence, all the restrictions that are thrown around the legislative, judicial, and executive departments of the State government by the Constitution.

The General Assembly, too, is composed of intelligent, wise and upright men, and it would not be a violent presumption to suppose that it will always be thus composed, yet the framers of the Constitution have shown an unwillingness to intrust the safety of this fund to legislative discretion, by providing in the Constitution itself, that when it is confided to the counties to be lent to individuals, the counties shall be liable in their corporate capacities for principal and interest. I consider it, therefore, no imputation on the wisdom or integrity of the Sinking Fund Commissioners, for the Legislature to place them under restrictions, in the management of this fund, similar to those which the Constitution has imposed on the General Assembly itself. The Constitution requires the General Assembly to provide for the safe investment of the funds, and this is a duty, the peformance of which is delegated to others, but this bill, by making no provisions for the safety of the fund, in the event of its being lent to individuals,

attempts to throw upon the Board of Sinking Fund Commissioners the burden of making regulations for its security. I would not willingly be the recipient of such a discretion as this bill proposes, and I cannot, in any measure, be officially responsible for its bestowal on any of my fellow men, however wise and good they may be.

The Sinking Fund Commissioners, in their report made to the Governor, on the 2d day of January last, after recommending the repeal of the law providing for the distribution of the fund among the several counties of the State, use the following language: "We also recommend the passage of a law authorizing this Board, in their discretion, to invest in Indiana State Stocks, or loan to individuals, upon the terms heretofore provided by law. A law absolutely requiring the investment of the fund in Indiana State Stocks would, we fear, tend to the defeat of such investment by raising the market price of the stocks."

The wisdom of the suggestion contained in the sentence last quoted cannot be doubted, and the propriety of investing the fund in the stock of the State is equally unquestionable. I object to this bill, however, because it does not embody the recommendation of the Sinking Fund Commissioners by requiring them to lend the fund, if lent at all, upon the terms heretofore provided by law." The bill proposes to revive no former law, prescribes no terms itself upon which the loans shall be made, and the only other law now in force authorizes not the loan of the fund by the Commissioners, but requires it to be distributed to the several counties, to be lent by the Auditor and Treasurer of such counties upon certain terms prescribed in the law. The regulations governing the County Auditors and Treasurers in the loan of the fund, under the act of 1859, would have no application to the Board of Sinking Fund Commissioners under the provisions of this bill, should it become a law. The reluctance with which I dissent from the deliberately expressed views of the General Assembly is diminished by the consideration that if the objections before stated are not well taken, the same vote that was originally required to pass the bill is competent to overrule these objections, and by the further consideration, that if the reasons assigned for returning the bill shall be deemed to be valid, there is yet ample time to pass a new bill on the same subject, containing the proper restrictions. If, therefore, this bill should become a law, and the possible evils before indicated ensue, or, if failing to become a law, the fund should remain idle for want of proper legislation authorizing its investment, I res-

pectfully submit that the result cannot, in either event, be justly chargeable to this department.

CONRAD BAKER,
Lieut. Governor, acting as Governor.

Which was laid on the Speaker's table.

Mr. Branham, from the Committee on Ways and Means, by consent, made the following report:

Mr. Speaker:

The Committee on Ways and Means, to whom was referred House bill No. 313, have had the same under consideration, and have directed me to report it back and recommend its passage.

Which report was laid on the table.

Mr. Buskirk called up the motion, made by Mr. Branham on yesterday, to amend Rule 54, by striking out "11 o'clock," and inserting "10 o'clock."

The amendment as proposed was agreed to.

Mr. Lasselle, by consent, from the select committee, made the following report:

Mr. Speaker:

The committee to whom was referred House bill No. 283, in relation to fixing the time of holding the Circuit Courts in the Eleventh Judicial Circuit. have had the same under consideration, and recommend the following amendment thereto, to-wit:

Strike out so much of the amending section one, as follows the words "to-wit," at the end of the third line thereof, and insert the following in the place thereof, to-wit:

In the county of Carroll, on the second Mondays of February and August of each year.

In the county of Miami, on the fourth Mondays succeeding the Courts in the county of Carroll.

In the county of Wabash, on the Mondays succeeding the Courts in the county of Miami.

In the county of Huntington, on the Mondays succeeding the Courts in the county of Wabash.

In the county of Grant, on the Mondays succeeding the Courts in the county of Huntington.

And in the county of Cass, on the Mondays succeeding the Courts in the county of Grant.

And when so amended, they recommend the passage of the bill.

Which report was laid on the table.

Mr. Shoaff, of Allen, from the select committee to whom was referred House bill No. 320, made the following report:

Mr. Speaker:

The select committee to whom was referred House bill No. 320, in relation to swinging bridges, beg leave to report that they have had the same under consideration, and proposed the following amendments thereto, to-wit:

Insert, after the word "open," in the second line of the second section, the words "or more."

Strike out the word "for," in the fourth line of the same section, and insert in the place thereof the words, "either with or without."

Insert after the word "substance," in the eleventh line of the same section, the words, "in case of the passage thereof."

Insert after the word "bridge," in the twelfth line of the same section, the words, "without unnecessary delay."

And that when so amended, they recommend its passage.

Which report was laid upon the table.

Mr. Gleason moved to take up Senate bill No. 306.

Which was agreed to.

Senate bill No. 306 was read a first time and referred to the Committee on Corporations.

Mr. Lasselle, from the Committee on Engrossed Bills, made the following report:

Mr. Speaker:

The Committee on Engrossed Bills, to whom was referred engrossed House bill No. 190, have carefully compared the same with the original bill, and find the same to be accurately and correctly engrossed in all respects.

Which report was laid upon the table.

SPECIAL ORDER.

The hour having arrived for the consideration of House bill No. 313, the same was taken up.

House bill No. 313. A bill to abolish the offices of President and Commissioners of the Sinking Fund, transferring said Sinking Fund and management thereof, to the Auditor and Treasurer of State, and defining their duties in relation thereto; providing for the investment of the Sinking Fund in the Stocks of the State; the execution of non-negotiable bonds in certain cases, and for the distribution of the interest accruing to said Sinking Fund, and declaring an emergency.

Mr. Reese moved to strike out "1867," and insert "1866."
Which was not agreed to.

The amendments heretofore reported by the Committee on Ways and Means were read, as follows:

It is hereby made the duty of the Treasurer of each county in this State, to pay into the State Treasury all the money in their respective county treasuries, belonging to the Common School Fund of this State, except the Congressional Township School Fund, and as fast as the loans become due, and are paid into the county treasury, the same shall be paid by the Treasurer of the county into the State Treasury, the same as other funds are paid in, and no part of such fund shall be reloaned.

The county Treasurer making such payment shall file with the Auditor of State, the county Auditor's certificate, stating, specifically, the amount so payable into the State Treasury, and that it is a part of the Common School Fund that was held in trust by said county.

Sec. —. Upon the payment of such money into the State Treasury, it shall be the duty of the Treasurer and Auditor of State, to give to the officer making such payments, receipts and quietuses for the same, in the manner prescribed by law, and he shall state in such receipt that it is a part of the Common School Fund that was held by such county.

It shall be the duty of the Auditor and Treasurer of State, to place such amounts, so paid in, to the credit of the State Debt Sinking Fund, and shall be by them invested in the Bonds or Certificates of Stock of the State, as other School Funds are to be invested under the provisions of this act.

Mr. Foulke moved the previous question.
Which was seconded by the House.

The question being, shall the main question be now put?
It was so ordered.

The question being on the amendments by the Committee on Ways and Means,

Messrs. Coffroth and Spencer demanded the ayes and noes.

Mr. Griffith asked to be excused from voting.
Which request was not granted.

Those who voted in the affirmative were,

Messrs. Atkison, Bonner, Boyd, Branham, Caldwell, Chambers, Church, Cowgill, Cox, Davidson, Ferris, Foulke, Gleason, Goodman, Gregory of Montgomery, Gregory of Warren, Hamrick, Henricks, Hershey, Higgins, Hogate, James, Kilgore, Lane, Litson, Lockhart, Major, Miller, Montgomery, McVey, Olleman, Rhoads, Rice, Riford, Sabin, Sim, Stivers, Stringer, Sullivan of P. and V., Trusler, Upson, Welch, Wright, Wood, Zeigler and Mr. Speaker—47.

Those who voted in the negative were,

Messrs. Bird, Burnes, Burton, Burwell, Buskirk, Coffroth, Collins, Croan, Crook, Dunham, Glazebrook, Gregg, Griffith, Groves, Hargrove, Harrison, Hoover, Howard, Humphreys, Hunt, Lasselle, Lee, Lemon, Lopp, Milroy, Newcomb, O'Brien, Osborn, Pinney, Prather, Reese, Richards, Roach, Shoaff of Allen, Shoaff of Jay, Spencer, Stuart, Stenger, Stuckey, Thatcher, Veach, Weikel and White—47.

So the amendments were not agreed to.

Mr. Newcomb offered the following amendment:

Amend section 4, line 3, by inserting after the words "market value," the following: "or on the stocks or bonds of the United States at their market value, not, however, exceeding their par value, and bearing a rate of interest not less than six per cent. per annum."
Which was agreed to.

Mr. Newcomb offered the following amendment:

Amend section 5, in line 3, after the word "amount," by striking out the word "of," and inserting the words "paid for the."

Mr. Branham moved that said House bill, No. 313, be continued as the special order of the day from day to day, until finally disposed of.

Which was agreed to.

The Speaker announced the following committee on House bill No. 6: Messrs. Buskirk, Branham, Foulke, Lasselle and Gleason.

On motion by Mr. Kilgore,

The House adjourned.

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2 o'clock P. M.

The House met.

SPECIAL ORDER.

House bill No. 313 was taken up.

The pending question being on the amendment offered by Mr. Newcomb,

It was agreed to.

Mr. Newcomb offered the following amendment:

Amend section 5, line 12, by striking out the words "the principal of," and inserting the following: "the amount paid for."

Mr. Branham moved that said House bill, No. 313, be considered as engrossed, and read a third time now.

Which was agreed to, and said House bill, No. 313, was read a third time.

Mr. Branham moved to fill the blank as Clerk's salary in said bill with $1,500.

Which was agreed to.

Mr. Rhoads, by unanimous consent, moved to strike out the word "up."

Which was agreed to.

The question being, shall said bill pass?

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Bonner, Boyd, Branham, Caldwell, Chambers, Church, Cowgill, Cox, Crook, Davidson, Ferris, Foulke, Gleason, Goodman, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Henricks, Hershey, Higgins, Hogate, Hoover, James, Kilgore, Lane, Litson, Lockhart, Meredith Major, Miller, Montgomery, McVey, Newcomb, Olleman, Prather, Reese, Rhoads, Rice, Riford, Sabin, Shoaff of Jay, Shuey, Sim, Stewart, Stivers, Stringer, Sullivan of P. and V., Trusler, Upson, Welch, Wright, Woods, Zeigler and Mr. Speaker—57.

Those who voted in the negative were,

Messrs. Bird, Brown, Buskirk, Coffroth, Collins, Croan, Dunham, Glazebrook, Gregg, Hargrove, Harrison, Howard, Humphreys, Hunt, Lee, Lemon, Lopp, Milroy, Osborn, Patterson, Perigo, Pinney, Richards, Richardson, Roach, Shoaff of Allen, Spencer, Stenger, Stuckey, Sullivan of Scott, Thatcher, Veach and White—35.

So the bill passed.

The question being, shall the title as read stand as the title of said bill?

It was so ordered.

Ordered, That the Clerk inform the Senate thereof.

Mr. Branham moved to take up House bill No. 95.

Which was agreed to.

House bill No. 95. A bill to enable railroads to alter their lines in certain cases.

Was taken up.

The question being shall said bill pass?

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Bird, Bonner, Branham, Brown, Burnes, Buskirk, Caldwell, Chambers, Church, Coffroth, Collins, Cowgill, Cox, Croan, Crook, Dunham, Ferris, Foulke, Glazebrook, Gleason, Goodman, Gregory of Montgomery, Gregory of Warren, Griffith,

Groves, Hamrick, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Howard, James, Kilgore, Lane, Lee, Litson, Lockhart, Lopp, Major, Meredith, Miller, McVey, Newcomb, Olleman, Perigo, Pinney, Rhoads, Rice, Richardson, Riford, Roach, Sabin, Shoaff of Allen, Shuey, Sim, Stewart, Stenger, Stivers, Stringer, Sullivan of Scott, Sullivan of P. and V., Trusler, Upson, Veach, Welch, Woodruff, Wright, Woods, Zeigler and Mr. Speaker—74.

Those who voted in the negative were,

Messrs. Gregg, Hoover, Humphreys, Hunt, Lemon, Milroy, Montgomery, Osborn, Patterson, Prather, Reese, Richards, Shoaff of Jay, Spencer, Stuckey and Thatcher—16.

The question being, shall the title, as read, stand as the title of said bill?

It was so ordered.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Henricks in the Chair.

Mr. Dunham moved to make Senate bill No. 15, the special order for Monday next at 2 o'clock, P. M.

Which was agreed to.

Mr. Branham moved to take up House bill No. 125.

Which was agreed to.

House bill No. 125. A bill to amend sections one and two of an act entitled "an act to provide for the relocation of county seats, and for the erection of public buildings in counties in case of such relocation," approved March 2d, 1855.

Was taken up, together with the following engrossed amendments of the Senate.

Engrossed Senate amendments to House bill No. 125.

Amend the first amendatory section by adding thereto the following words: "*Provided*, That no such removal or relocation of a county seat shall be made, unless the same is removed at least three miles from its then location."

Amend the second amendatory section by striking out the word "general," where it occurs before the word "election," and inserting in lieu thereof the word "congressional."

Amend the second section by adding thereto the following words: *Provided*, That any person opposed to such relocation may appear and defend against the application, and may controvert the facts which the applicants are bound to prove, and for that purpose may show that any of the petitioners are not voters, or did not sign the petition, or have afterwards signed a remonstrance against the same; and the fact of such signing of such remonstrance may be shown *prima facie*, by the affidavit of any person who is a competent witness in in other cases.

The foregoing amendments were read and concurred in.

Ordered, That the Clerk inform the Senate thereof.

Mr. Coffroth moved to take up Senate bill No. 34, and place the same on the files.

Which was agreed to.

Mr. Pettit moved to suspend the order of business and take up House bill No. 294.

Which was agreed to.

House bill No. 294. A bill providing for securing to the Common School Fund sums forfeited on recognizances and fixing the mode for declaring their forfeiture.

Was taken up.

Mr. Groves moved the previous question.

Which was seconded by the House.

The question being, shall the main question be now put?

It was so ordered.

The question being shall said bill be considered as engrossed?

It was agreed to.

Said House bill No. 294, was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Bird, Bonner, Boyd, Branham, Burnes,

Caldwell, Chambers, Church, Collins, Cowgill Cox, Crook, Davidson Ferris, Foulke, Gleason, Goodman, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Hargrove, Henricks, Hershey, Higgins, Hogate, Hoover, James, Kilgore, Lane, Lasselle, Litson, Lockhart, Major, Meredith, Miller, Montgomery, McVey, Newcomb, Olleman, Perigo, Pinney, Prather, Reese, Rhoads, Rice, Richards, Richardson, Riford, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Stewart, Stenger, Stivers, Stringer, Sullivan of P. and V., Thatcher, Trusler, Upson, Veach, Weikel, Welch, White, Wright, Woods, Zeigler and Mr. Speaker—74.

Those who voted in the negative were,

Messrs. Croan, Dunham, Glazebrook, Harrison, Howard, Humphreys, Hunt, Lee, Lemon, Milroy, O'Brien, Osborn, Roach, Spencer and Stucker—15.

The question being, shall the title, as read, stand as the title of said bill?

It was so ordered.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Pettit moved to reconsider the several votes whereby said House bill No. 294 was passed, and to lay said motion on the table

Which was agreed to.

Mr. Groves moved to suspend the order of business and take up House bill No. 247.

Mr. Griffith moved to amend by taking up House bill No. 245.

Mr. Miller moved to lay the motion made by Mr. Griffith on the table.

Which was agreed to.

The question being on the motion made by Mr. Groves.

It was not agreed to.

Mr. Reese moved to reconsider the vote whereby the House refused to locate the Agricultural College at the Battle Ground.

On motion, by Mr. Newcomb, the order of business was suspended and the House proceeded to take up

HOUSE BILLS ON THIRD READING.

House bill No. 123. A bill to declare forfeited the right of way of certain railroad companies, to branch roads, no part of which has been completed and upon which no work has been done for ten years, and declaring that the right of way aforesaid shall revert to the land owners along the route thereof.

Was taken up and read a third time.

Mr. Newcomb moved the previous question.

Which was seconded by the House.

The question being shall the main question be now put?

It was so ordered.

The question being shall said bill pass?

Those who voted in the affirmative were,

Messrs. Atkinson, Bonner, Buskirk, Caldwell, Collins, Cox, Davidson, Ferris, Gleason, Gregory of Montgomery, Gregory of Warren, Groves, Hamrick, Harrison, Henricks, Higgins, Hogate, Hoover, Humphreys, Hunt, Lane, Lasselle, Lockhart, Lopp, Major, Meredith, Milroy, Montgomery, McVey, Newcomb, O'Brien, Olleman, Osborn, Perigo, Pinney, Reese, Rhoads, Rice, Richards, Richardson, Roach, Sabin, Shuey, Sim, Spencer, Stenger, Stivers, Stringer, Stuckey, Sullivan of P. and V., Trusler, Upson, Veach, Welch, Wright Woods, Zeigler and Mr. Speaker—59.

Those who voted in the negative were,

Messrs. Abbett, Bird, Brown, Boyd, Burnes, Cowgill, Croan, Glazebrook, Griffith, Hargreve, James, Kilgore, Lemon, Prather, Riford, Shoaff of Allen, Shoaff of Jay, Sullivan of Scott and Weikel—21.

The question being, shall the title, as read, stand as the title of said bill?

It was so ordered.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

The Speaker laid before the House the following report from the Board of Commissioners of the Sinking Fund:

To the House of Representatives of the State of Indiana:

In compliance with your resolution of the 13th inst., introduced by the member from Kosciusko county, (Mr. Cowgill,) the undersigned, President of the Board of Commissioners of the Sinking Fund, respectfully reports that the amount of the fund received, and not invested in the bonds of the State, (since January 26, 1863,) and which appears on the books of the Fund, is, December 14, 1865, $775,538.67; of which sum there is available to interest, as the Legislature shall direct, the sum of..... $613,146 17
Leaving unexpended..... 162,392 50

Total..... $775,538 67

The said available sum of $613,146.17 is deposited without interest to the Fund, or any person, for safe keeping, as follows, at Indianapolis:

In Bank of S. A. Fletcher & Co.....	$275,016 25
In First National Bank.....	228,828 40
In Bank of A. & J. C. S. Harrison.....	95,195 29
At Muncie, in Branch Bank.....	64,106 23
Total.....	$613,146 17

Said deposits were made from time to time as the money accumulated in the Fund, commencing with S. A. Fletcher & Co., January 31, 1863; First National, February 25, 1864; A. & J. C. S. Harrison, April 4, 1865; Muncie Branch Bank, May 3, 1865; and earned nothing except in that with S. A. Fletcher & Co., from whom the exchange on New York for the purchase of nearly $584,000 of State Bank Loan Bonds, made since said January 26, 1863, by said Board, was procured without charge.

The suspended fund, above mentioned, not at present available, amounting to $162,392.50, is composed of a deposit with Henry J. Lyons & Co., of New York, made as follows:

August 8, 1864.....	$25,000 00
August 29, 1864.....	26,619 08
September 27, 1864.....	27,354 26

October 4, 1864		2,082 25
October 31, 1864		20,891 50
December 28, 1864		680 59
January 10, 1865		30,653 46
Amounting to		$133,281 14
Of which was paid, December 12, 1865		20,888 64
Leaving unpaid the sum of		$112,392 50
And is further composed of a loan made by S. A. Fletcher & Co., of	$20,000 00	
First National Bank	20,000 00	
Harrison's Bank	10,000 00	
		$50,000 00
		$162,392 50

On April 17, 1865, without interest, to the Governor and Auditor of State, for sanitary purposes, based on the said deposits with said banks, and which is to be refunded to said banks at the earliest possible day, when said $50,000 will be subject to the order of the Board; though prior to such day no honorable withdrawal of said deposits can be made. The deposits with Lyons & Co., is secured by the bond of the individual members of that firm, (composed of Henry J. Lyons, C. B. Simmons, and D. Ricketts,) and also by collateral notes, payable in bank, given by parties esteemed perfectly good, amounting to $81,405.50, of which there has just been paid in, as stated above, $20,888.64; leaving still due on these notes, $60,516.86.

The remainder of the deposits with Lyons & Co., not provided for in the collaterals above mentioned, amounting to $51,875.64, has been secured, as I am informed, by Mr. Ricketts, by his assigning sufficient property to the President of the First National Bank of Jeffersonville, in trust for this fund.

Very respectfully,

W. H. TALBOTT, *Pres't.*

House bill No. 184, a bill to amend an act regulating the fees of officers, and repealing former acts in relation thereto,

Was taken up and read a third time.

Mr. Newcomb moved to lay the bill on the table.

Which was not agreed to.

The question being, shall said House bill No. 184 pass?

Those who voted in the affirmative were,

Messrs. Abbett, Bird, Bonner, Brown, Burnes, Burton, Burwell, Caldwell, Collins, Cox, Davidson, Ferris, Foulke, Glazebrook, Gleason, Gregg, Gregory of Montgomery, Gregory of Warren, Hamrick, Henricks, Hershey, Hogate, Hoover, Kilgore, Lemon, Lockhart, Lopp, Meredith, Milroy, Montgomery, McVey, Osborn, Perigo, Pinney, Prather, Reese, Rhoads, Rice, Richardson, Riford, Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Spencer, Stewart, Stivers, Stuckey, Sullivan of Scott, Thatcher, Veach, Welch, Woods, Zeigler and Mr. Speaker—57.

Those who voted in the negative were,

Messrs. Coffroth, Goodman, Groves, Hargrove, Harrison, Higgins, Lane, Miller, Newcomb, O'Brien, Olleman, Richards, Stringer, Sullivan of P. and V., Trusler, Upson and Weikel—17.

The question being, shall the title, as read, stand as the title of said bill?

It was so ordered.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

House bill No. 189, a bill to amend section 52 of an act entitled "an act to amend an act to authorize and regulate the business of general banking," passed the House and Senate of the General Assembly, the Governor's objections thereto notwithstanding, on the 30 day of March, 1855.

Mr. Rhoads moved to indefinitely postpone said bill.

Which was agreed to.

House bill No. 196, a bill to extend the time allowed by the law for the completion of gravel roads for the term of one year, in cases therein specified,

Was taken up, read a third time, and,

The question being, shall said bill pass?

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Bird, Bonner, Boyd, Burnes, Burton, Buskirk, Caldwell, Coffroth, Collins, Cox, Croan, Davidson, Ferris, Foulke, Glazebrook, Goodman, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Hargrove, Harrison, Henricks, Hershey, Hogate, Hoover, Howard, Humphreys, Hunt, James, Kilgore, Lane, Lasselle, Lemon, Lockhart, Lopp, Major, Meredith, Miller, Milroy, Montgomery, McVey, Newcomb, Olleman, Osborn, Patterson, Perigo, Pinney, Prather, Reese, Rhoads, Rice, Richards, Richardson, Riford, Roach, Sabin, Shoaff of Allen, Shuey, Sim, Spencer, Stewart, Stenger, Stivers, Stuckey, Sullivan of Scott, Sullivan of P. and V., Thatcher, Weikel, Welch, White, Woods, Zeigler and Mr. Speaker—78.

Those who voted in the negative were,

Messrs. Stringer, Trusler, Upson, Veach and Weikel—5.

The question being, shall the title as read stand as the title of said bill?

It was so ordered.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Coffroth moved that when the House adjourn, it meet again at o'clock this evening.

Which was agreed to.

House bill No. 185 was taken up, and,

On motion by Mr. Rhoads,

Was laid on the table.

Mr. Lasselle moved to reconsider the vote whereby the House definitely postponed House bill No. 189.

Mr. Rice, from the Committee on the Judiciary, by consent, made e following report:

R. SPEAKER:

The Judiciary Committee, to whom was referred House bill No. 0, entitled "an act to amend the fourteenth section of an act to

limit the number of Grand Jurors, and to point out the mode of their selection, defining their jurisdiction, and repealing all laws inconsistent therewith, so as to give the Grand Jury concurrent jurisdiction with Courts of Common Pleas, and Justices of the Peace in misdemeanors, except in cases where the fine does not exceed three dollars," would report that they have had the same under consideration, and report the same back, and recommend its passage.

Which report was laid on the table.

House bill No. 220. A bill to amend the fourteenth section of an act entitled "an act to limit the number of Grand Jurors, and to point out the mode of their selection; defining their jurisdiction, and repealing all laws inconsistent therewith, so as to give the Grand Jury concurrent jurisdiction with the Courts of Common Pleas, and Justices of the Peace in misdemeanors, except in cases where the fine cannot exceed three dollars.

Was taken up, read a third time, and,

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Bird, Brown, Burnes, Burton, Burwell, Buskirk, Caldwell, Coffroth, Cox, Croan, Ferris, Foulke, Gleason, Goodman, Gregory of Warren, Griffith, Groves, Hamrick, Hargrove, Harrison, Hershey, Hogate, Hoover, James, Lane, Lemon, Lockhart, Lopp, Major, Meredith, Miller, Milroy, Montgomery, McVey, Newcomb, Olleman, Osborn, Perigo, Pinney, Prather, Rhoads, Rice, Riford, Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Spencer, Stewart, Stenger, Stivers, Stringer, Stuckey, Sullivan of Scott, Sullivan of P. and V., Thatcher, Trusler, Welch, Wright, Woods, Zeigler and Mr. Speaker—64.

Those who voted in the negative were,

Messrs. Collins, Davidson, Dunham, Glazebrook, Humphrey, Hunt, Reese, Richards, Richardson and Weikel—10.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

On motion by Mr. Milroy,

The House adjourned to meet at 7 o'clock this evening.

7 O'CLOCK P. M.

The House met.

SPECIAL ORDER.

The hour having arrived for the consideration of House bill No. 208,

Mr. Rhoads moved to suspend the order of business, and take up House bills on their third reading.

No quorum voting, the Speaker ordered a call of the House, when the following members answered to their names:

Messrs. Abbett, Atkinson, Bird, Bonner, Boyd, Brown, Buskirk, Caldwell, Church, Coffroth, Collins, Cowgill, Cox, Croan, Davidson, Ferris, Foulke, Gleason, Goodman, Gregg, Gregory of Montgomery, Gregory of Warren, Groves, Hargrove, Harrison, Hershey, Hoover, Humphreys, Hunt, Kilgore, Lane, Lemon, Litson, Lockhart, Lopp, Major, Meredith, Miller, Montgomery, McVey, Newcomb, O'Brien, Olleman, Osborn, Perigo, Prather, Reese, Rhoads, Richardson, Riford, Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Stewart, Stuckey, Sullivan of Scott, Sullivan of P. and V., Thatcher, Trusler, Weikel, White, Wright, Woods, Zeigler and Mr. Speaker—68.

A quorum being present, a further call was dispensed with.

Mr. Rhoads moved to suspend the order of business, and take up House bill No. 245.

Which was not agreed to.

SPECIAL ORDER OF THE DAY.

The hour having arrived for the consideration of House bill No. 208, the same was taken up.

House bill No. 208. A bill to amend the first and tenth sections of an act to provide for a general system of common schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of Township Libraries, and to repeal all laws inconsistent therewith, providing penalties threin prescribed, approved March 6, 1865.

The question being, shall said bill be ordered to be engrossed and passed to a third reading,

Mr. Kilgore moved the previous question.
Which was seconded by the House.

The question being, shall the main question be now put?
It was so ordered.

The question being, shall said bill be engrossed and read a third time,
It was so ordered.

And said bill was considered as engrossed, and read a third time.

The question being, shall said bill pass?

Those who voted in the affirmative were,

Messrs. Atkinson, Bonner, Branham, Church, Cowgill, Cox, Ferris, Foulke, Gleason, Gregory of Warren, Griffith, Henricks, Hershey, Higgins, Hoover, Kilgore, Lane, Lockhart, Major, Meredith, Miller, Montgomery, McVey, Newcomb, Reese, Rhoads, Rice, Riford, Sabin, Shuey, Sim, Stewart, Sullivan of P. and V., Trusler, Woods, Zeigler and Mr. Speaker—37.

Those who voted in the negative were,

Messrs. Abbett, Bird, Boyd, Brown, Burton, Burwell, Buskirk, Caldwell, Coffroth, Collins, Croan, Dunham, Goodman, Gregg, Groves, Hargrove, Harrison, Humphreys, Hunt, Lasselle, Lemon, Litson, Lopp, O'Brien, Olleman, Osborn, Perigo, Prather, Richardson, Roach, Shoaff of Allen, Shoaff of Jay, Stuckey, Sullivan of Scott, Thatcher, Veach, Weikel, White and Wright—40.

So the bill was lost.

Mr. Rhoads moved to suspend the order of business, and take up House bill No. 245,
Which was agreed to.

House bill No. 245. A bill to amend sections 12, 14, 18, 21, 26, 40, 41 and 42 of an act entitled "an act to provide for a general system of common schools, the officers thereof, and their respective

powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of Township Libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed," approved March 6, 1865.

Was taken up, together with the following amendments heretofore reported.

Amend section 108, which reads as follows, to-wit:

Sec. 108. The following fees only shall be charged in cases of mortgage for loans:

To each appraiser	$ 50
For recording mortgage	1 00
For drawing mortgage	1 00
For making Coroner's affidavit	10
For Clerk's certificate	50
And Recorder's certificate and examining title, each	1 00

Which shall be paid by the borrower, be, and the same shall be amended to read:

Sec. 108. The following fees only shall be charged in cases of mortgage for loans:

To each appraiser	$ 50
For recording mortgage	1 00
For drawing mortgage	1 00
For making borrower's affidavit	10
For Clerk's certificate	50
And Recorder's certificate examining title	1 00

Which shall be paid by the borrower.

The question being on the adoption of the amendments,
They were adopted.

Said House bill No. 245 was considered as engrossed and read a third time.

Mr. Griffith moved the previous question.
Which was seconded by the House.

The question being, shall the main question be now put?
It was so ordered.

The question being, shall said bill pass?

Mr. Shoaff, of Jay, moved to reconsider the vote whereby said bill was ordered to be engrossed.

It was agreed to.

Mr. Pinney moved to strike out the 12th section of said bill.

Mr. Buskirk moved to lay the bill on the table.

Which was agreed to.

Mr. Prather moved that the House do now adjourn.

Which was not agreed to.

REGULAR ORDER.

Mr. Higgins moved to suspend the order of business, and take up Senate bills on first reading.

Which was not agreed to.

Mr. Brown moved to suspend the order of business, and take up House bills on third reading.

Which was agreed to.

House bill No. 168 was taken up, and,

On motion by Mr. Newcomb,

Laid upon the table.

House bill No. 173 was taken up, and,

On motion by Mr. Newcomb,

Laid upon the table.

Mr. Rhoads moved that the vote whereby House bill No. 189 was indefinitely postponed, be reconsidered.

House bill No. 231. A bill to protect lawful public notices, and prescribing a penalty for injuries thereto,

Was taken up, read a third time, and the question being, shall said bill pass?

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Bird, Bonner, Boyd, Branham, Brown, Burton, Burwell, Buskirk, Caldwell, Church, Coffroth, Cowgill, Cox,

Davidson, Foulke, Gleason, Goodman, Gregg, Gregory of Warren, Griffith, Groves, Hargrove, Harrison, Henricks, Higgins, Hoover, Hunt, Lane, Lasselle, Lemon, Litson, Lockhart, Lopp, Major, Miller, Milroy, Montgomery, McVey, Newcomb, Olleman, Osborn, Perigo, Prather, Reese, Rhoads, Rice, Riford, Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Sim, Stewart, Sullivan of Scott, Sullivan of P. and V., Thatcher, Trusler, Veach, Weikel, White, Wright, Woods, Zeigler and Mr. Speaker—65.

Those who voted in the negative were,

Messrs. Dunham, Ferris, Hershey and Stuckey—4.

The question being, shall the title as read stand as the title of said bill?

It was so ordered.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

On motion by Mr. Dunham,
The House adjourned.

SATURDAY MORNING, 9 o'clock,
December 16, 1865.

The House met pursuant to adjournment.

The Clerk proceeded to read the Journal of yesterday, when on motion, by Mr. Milroy, its further reading was dispensed with.

The Journal of yesterday was then approved.

PETITIONS, MEMORIALS AND REMONSTRANCES.

By Mr. Veach:

A claim from W. H. Drapier, for preparing a calender of business H. J.—33

before the House of Representatives at the special session, embracing all Senate and House bills on files, &c.

Which was referred to the Committee on Claims.

REPORTS OF COMMITTEES.

Mr. Newcomb, from the Judiciary Committee, made the following report:

MR. SPEAKER:

The Judiciary Committee, to whom was referred House bill No. 116, entitled "a bill to provide for testing and sealing all weights and measures used by wholesale and retail merchants and dealers, and providing a punishment for all persons who shall violate the provisions of this act, and declaring an emergency," respectfully report that they have had said bill under consideration and recommend its indefinite postponement.

Which was concurred in, and the bill was indeffnitely postponed.

Mr. Newcomb, from the Committee on the Judiciary, made the following report:

MR. SPEAKER:

The Judiciary Committee, to whom was referred House bill No. 303, entitled an act to amend the second section of an act entitled "an act prohibiting Supreme, Circuit, or Common Pleas Judges, County Clerks, Auditors, Treasurers, Recorders, Sheriffs or their Deputies, from practicing law in any of the Courts of this State, except as in this act permitted, and prescribing punishment for the violation thereof, and prescribing the duty of Courts in reference thereto," respectfully report that they have had the same under consideration, and recommend its passage.

Which report was laid upon the table.

Mr. Newcomb from the Committee on the Judiciary made the following report:

MR SPEAKER:

The Committee on the Judiciary, to whom was referred Senate bill No. 50, entitled a bill providing for the redemption of real estate or any interest therein sold or executed, or order of sale, and provid-

ing for the issuing of certificates of purchase in such cases, and for the execution of conveyances, and repealing all laws in conflict therewith, respectfully report that they have had said bill under consideration, and recommend its indefinite postponement.

Which report was concurred in, and the bill indefinitely postponed.

Mr. Newcomb, from the Committee on the Judiciary made the following report:

MR. SPEAKER:

The Judiciary Committee, to whom was referred Senate bill No. 2, entitled "a bill regulating the practice in Circuit and Common Pleas Courts of this State, on appeals from Judgments of Justices of the Peace," respectfully report that they have had said bill under consideration and recommend its indefinite postponement.

Which report was concurred in, and the bill was indefinitely postponed.

Mr. Newcomb, from the Judiciary Committee, made the following report:

MR. SPEAKER:

The Judiciary Committee, to whom was referred House bill No. 88, entitled "an act providing for extending the terms of Circuit Courts, calling adjourned and special terms, and providing compensation for holding same," respectfully report that they have had said bill under consideration, and recommend its indefinite postponement.

Which report was concurred in, and the bill was indefinitely postponed.

Mr. Rice, from the Committee on the Judiciary, made the following report:

MR. SPEAKER:

The Judiciary Committee, to whom was referred House bill No. 103, entitled "an act prescribing the duties of prosecuting and district Attorneys in certain cases, and providing compensation for the same," respectfully report that they have had the same under consideration and recommend the following amendment. Strike out after the word "shall" in the 6th line of section 1st, the following words, "or where there is an agreement of the parties for the submis-

sion of the same" and upon the adoption of said amendment, the committee recommend its passage.

Which report was laid upon the table.

Mr. Miller, from the Committee on the Organization of Courts, made the following report:

MR. SPEAKER:

The Committee on the Organization of Courts, to whom was referred Senate bill No. 22, entitled an act to amend section ten of an act entitled an act providing for the election and qualification of Justice of the Peace, and defining their jurisdiction, powers and duties, in civil cases, approved June 9, 1852, have had the same under consideration, and directed me to report the bill back and recommend its passage.

Which report was laid upon the table.

Mr. Gregory, from the Committee on Education, made the following report:

MR. SPEAKER:

The Committee on Education, to whom was referred the memorial and petition of Joseph Galligher and others, of the Township of Clinton, Elkhart County, asking for Legislation compelling parents and guardians to send their children to school, have had the same under consideration, and they would report, that, while they are of the opinion that all children should attend the common schools of the State, yet we are not prepared to report in favor of the expediency at this time of passing a law compelling parents and guardians under a penalty to send their children to school.

Which report was laid on the table.

Mr. Gregory from the special committee, to whom was referred the petition of D. Jacobs, and others, asking a repeal of part of section 34 of an act to provide for a general system of common schools, approved March 6, 1865, by striking out that part of said section 34 which requires teachers to procure a license to teach physiology and the history of the United States, ask leave to be excused from making a report on said petition.

Which was agreed to.

Mr. Boyd, from the Committee on Claims, made the following eport:

Ir. Speaker:

The Committee on Claims, to whom was referred the claim of . W. Copeland for the sum of nine dollars, and, also, the claim of I. C. Chandler & Co. for the sum of two hundred and twenty-nine ollars and ninety-five cents, have had the same under consideration, ad beg leave to report that they recommend that the same be llowed and placed in the Specific Appropriation Bill for payment.

Which was referred to the Committee on Ways and Means, with structions to incorporate the amounts claimed in the Specific Ap- ropriation Bill.

Mr. Veach, from the Committee on Claims, made the following iport:

R. Speaker:

The Committee on Claims, to whom was referred the claim of leloss Root & Co., for the sum of thirty-nine dollars and ninety-five ents, for stove, &c., for Supreme Court Room, have had the same der consideration, and have directed me to report the same back d recommend that the same be allowed and incorporated in the ecific Appropriation Bill for payment.

Which was referred to the Committee on Ways and Means, with instructions to incorporate the amount claimed in the Specific Appro- pation bill.

Mr. Lockhart, from the Committee on Claims, made the following eport:

R. Speaker:

The Committee on Claims, to whom was referred the claim of B. Wilson for fifteen pair of scissors bought by the Stationery rk of last session, have had the same under consideration, and ld respectfully report the same back and recommend that the m of nine dollars be allowed him, and that the sum be placed in h Specific Appropriation Bill.

Mr. Lockhart moved that the report be referred to the Committee on Ways and Means, with instructions to incorporate the amount claimed in the Specific Appropriation Bill.

Which was not agreed to.

The Report was laid on the table.

Mr. Abbett, from the Committee on Claims, made the following report:

Mr. Speaker:

The Committee to whom was referred the claim of Peter Wilkins $3.00, for one coal tub for the use of the House, instruct me t report the same back, and would respectfully ask that it be allowed

Which was referred to the Committee on Ways and Means, wit instructions to incorporate the same in the Specific Appropriatio Bill.

Mr. Stringer, from the Committee on Roads, made the followir report:

Mr. Speaker:

The Committee on Roads, to whom was referred House bill N 323, have directed me to report the same back and recommend th it do pass.

Which report was laid on the table.

Mr. Bonner, from the Committee on Roads, made the followi report:

Mr. Speaker:

The Committee on Roads, to whom was referred Senate bill 217, have had the same under consideration, and a majority of Committee direct me to make the following report:

Strike out "one mile," wherever it occurs in said bill, and in "three-fourths of one mile," and when so amended, recommend passage.

Which report was laid on the table.

Mr. Stivers, from the Committee on County and Township Business, made the following report:

Mr. Speaker:

The Committee to whom was referred House bill No. 258, which proposes to increase the fees of Township Trustees from one dollar and fifty cents to two dollars and fifty cents per day, have had the same under consideration, and instruct me to report the same back to the House and recommend its passage.

Which report was laid on the table.

Mr. Lockhart from the Committee on Claims, by consent, made the following report:

Mr. Speaker:

The Committee on Claims to whom was referred the claim of Ezekiel Green, Treasurer of the county of St. Joseph, asking for relief on account of loss sustained by the robbery of the safe in said Treasurer's office, have had the same under consideration, and would respectfully report that they consider it inexpedient to allow any such claim, as it would be setting a dangerous precedent, and would result in great loss to the State, as it would open a door that would enable every Treasurer in the State, who has sustained a loss, to ask to be relieved from his responsibility to the State. They would, therefore, report that it be not allowed.

Which report was laid on the table.

Mr. Newcomb from the select committee on House Bill No. 231, made the following report:

Mr. Speaker:

The select committee to whom was referred House bill No 231, entitled, "a bill to establish a soldiers' and seamen's home, and for the benefit of their widows and orphans," have had the same under consideration, and have instructed me to report the same back, with the following amendments, and when so amended, they recommend its passage:

Amend section 4, in line 9, by striking out "fifteen hundred," and inserting the words "two hundred."

Further amend the same section, by striking out all of said section after the word "shall," in line 11, and insert the following: "Report such purchase to the Governor, who, if he approve the same, shall immediately notify the Auditor of State thereof, who shall thereupon draw his warrant upon the Treasurer of State for the amount, if the price agreed to be paid for said land, not to exceed, however, the sum of twenty-five thousand dollars, which shall be paid out of any funds appropriated to that purpose, at this or any subsequent session of the General Assembly; provided, that if the price of the land so purchased, shall exceed the sum of twenty-five thousand dollars, no payment shall be made thereon from the State Treasury until the residue of the price is donated and paid to such parties, by individuals or corporations.

Which report, with amendments, was laid upon the table.

Mr. Lockhart, from the Committee on Railroads, obtained consent and offered the following report:

Mr. Speaker:

The Committee on Railroads, to whom was referred House bill No. 260, entitled "an act to provide compensation to the owners of animals killed or injured by the rolling stock of any railroad, when such road is not fenced, excepting such places not proper to be fenced, repealing all laws inconsistent therewith, and declaring an emergency," have had the same under consideration, and would respectfully report the same back, with the following amendments:

Amend section first by striking out, in the third line, the words, "hogs excepted."

Amend section five by striking out the words, "conterminous to," in the second line, and insert in lieu thereof the words, "within one mile of."

Amend section six by striking out all of said section, and in lieu thereof insert the following:

Sec. 6. If any conterminous owner, or any person whatever, shall open any gate or bars, or make any gap in the railroad fence, into the railroad grounds, or in any way impair the sufficiency of such fence, and leave it thus open and impaired, he shall be deprived of the benefits of this act, as to any cattle or other stock destroyed o

injured by the railroad in consequence of the opening of the fences as aforesaid; and further, shall be liable to any other person or party for all damages that may ensue in the killing or injuring of stock by reason of his said acts in opening or impairing the sufficiency of such fence. *Provided*, That this shall not affect or in any manner release such party so injuring the railroad, from the penal laws of the State for the punishment of such offences.

Amend section seven by striking out all of the first line which reads, "the proviso of the last section," and in lieu thereof insert the words, "this act shall."

And when so amended, would recommend its passage.

Which report, with amendments, was laid upon the table.

Mr. Lockhart, from the Committee on Railroads, made the following majority report:

MR. SPEAKER:

The Committee on Railroads, to whom was referred House bill No. 257, entitled "a bill requiring railroad companies to furnish transportation for freight to persons desiring to ship live stock, or other freight over their roads, and requiring such roads to charge a uniform rate therefor," have had the same under consideration, and the majority would respectfully report the same back, and recommend that it be indefinitely postponed.

Which was concurred in.

Mr. Kilgore, from the same committee, made the following minority report:

MR. SPEAKER:

The undersigned, members of the Committee on Railroads, disseting from the report submitted by the majority of said committee touching House bill No. 257, do respectfully recommend its passage.

A. KILGORE,
R. H. LITSON,
JOHN SIM.

Which minority report was laid on the table.

Mr. Thatcher, from the committee to whom was referred Senate bill No. 66, made the following majority report:

Mr. Speaker:

The majority of the special committee to whom was referred Senate bill No. 66, entitled "an act to fix the time of holding the Common Pleas Courts in the several counties of this State, creating a new district," &c., have had the same under consideration, and believing legislation unnecessary on that subject, have instructed me to report the same back to the House, with the recommendation that it be laid on the table.

Which report was laid on the table.

Mr. Ferris, from the special committee on Senate bill No. 66, made the following minority report:

Mr. Speaker:

The minority of the special committee to whom was referred Senate bill No. 66, beg leave to submit the following report:

Amend section two by inserting after the word "Rush," the word "Ripley."

Amend section three by substituting the following:

Sec. 3. The terms of the Common Pleas Court in said district shall be held as follows, to-wit:

Commencing in the county of Rush, on the second Mondays in April, August and December.

In the county of Ripley, on the first Mondays in February, June and October.

And in the county of Decatur, on the second Mondays in January, May and September.

And the terms of said Courts shall continue three weeks, if the business requires it.

And when so amended, they recommend its passage.

Which report was laid on the table.

Mr. Newcomb, from the joint select committee on a portion of the Governor's Message, &c., made the following report:

Mr. Speaker:

The joint select committee to whom was referred the Message of the Governor, as to the necessity of purchasing more secure accommodations for the public offices, and the funds, records and important documents of the State, report, that although it will form a part in construction of a new State House, amply and securely to provide for all the State offices, and the Supreme Court, the heavy calls on the people in consequence of the rebellion, and the high price of building at present, forbid even the commencement of any permanent structure now for these objects. The committee have, therefore, carefully considered the alternative presented by the Governor, of purchasing the building and lot in the center of the city, offered for sale by the Bank of the State, as the most safe and suitable building and lot which can be had, and which can be readily sold when the State erects a permanent State House, without any probable loss to the State. There are four vaults in the building, each of which affords safe protection from fires, and one of which is probably the best anti-burglar vault in the West. The building is well constructed, elevated and easy of access, having six rooms on the first floor, and four, besides a circular hall, on the second floor. Although more room would be desirable for the State offices, it is believed it can be comfortably used for the present; and also, that chambers and two safe vaults can be used by the Supreme Court, relieving them from renting upper rooms in the city, with their papers and books continually liable to loss and destruction. In this behalf, the irreparable loss to the people of Kentucky, by the burning of their Supreme Court papers, should be a warning as to the danger of our further neglect.

That such sum be borrowed of the Sinking Fund by the State, at interest, not over seven per cent., as will cover the cost of any purchase which may be made of such property, for which the committee recommend that not over $36,000 be paid. The State is now paying, for the unsafe and scattered rooms for her offices and Supreme Court, rent which amounts to seven per cent. upon $53,600, being $3,750 per annum.

The committee recommend the prompt sale of the old Treasury lot and building, at not less than $22,000, which is less than it is worth; the proceeds to be applied toward liquidating the needful loan from

the Sinking Fund, and reducing the amount of rent payable by interest on the remainder, to less than $1,000 per annum, in place of $3,750, as now paid by the State.

The committee, therefore, submit and recommend the prompt passage of the accompanying bill, (No. 327,) to effect the above objects.

Which report was laid on the table.

House bill No. 327. A bill providing for the more secure and less expensive accommodations of the officers of State, and the Judges of the Supreme Court; for procuring the means therefor by loan of the Sinking Fund, and for effecting a sale of the State Treasury lot towards reimbursing such loans.

Which was read a first time and passed to a second reading.

Mr. Dunham, from the Committee on Ways and Means, by consent, made the following report:

MR. SPEAKER:

The Committee on Ways and Means, to whom was referred House bill No. 158, with engrossed Senate amendments, have had the same under consideration, and have directed me to report it back to the House with the following amendments:

1. Strike out of line 3, in section one, the word "sixty-six," and insert "sixty-nine."

2. Amend section two by striking out all after the word "persons," in the 20th line, and add to the end of the section these words: "And the County Auditor shall apportion such valuation of such railroad for county and township purposes, according to the length of such road through such county or township."

3. Amend the third section by striking out the words "State and county taxes," in line 5, and insert "all taxes levied by State, county and township authority, through which such road passes."

4. Amend the fourth section by adding, to the end thereof, these words: "And shall add fifty per cent. to such assessment, as a penalty for failing or refusing to comply with the provisions of this act." At line 2, by reading "1859" for "1856."

5. Amend section six by inserting in line 3, after the word "counties" the words, "townships, towns and cities;" and in the 10th line insert, after the word "paid," the words, "to the State, counties, townships, towns and cities." In line 12, for the word "taxes," read "basis;" and add after the word "equalization," these words: "Which equalization and assessments are hereby declared valid."

6. Strike out of section seven all after the word "pass," in the 1st line, to the word "may," in the 5th line; and when so amended, to recommend its passage.

Which report, with amendments, was laid upon the table.

House bill No. 158. An act to secure a just valuation and appraisement of all railroad property within this State; to legalize the valuation, assessment, adjustment and payment of taxes for such property, made subsequent to the year 1859.

Section 1. *Be it enacted by the General Assembly of the State of Indiana*, That all Railroad Companies having the whole, or any portion, of their lines of railroad within this State, shall, on or before the first Monday in April, 1866, and on the first Mondays of April thereafter, in such years in which there shall be a general appraisement of the real property of the State, furnish to the Appraiser of each county through which their respective roads may run, a written statement of the length of the line of such roads within his county, and also a statement of all the machine shops, depots, depot grounds, rolling machinery, and other property of such company, used by it in doing the business thereof, within this State, and gross earnings, and also of the average net earnings of such road, over and above the current necessary expenses in transacting its business, and for repairs during the five years immediately preceding such statement; which shall be verified by the oath or affirmation of the proper officer of such company making such statement.

Sec. 2. The Appraisers of the county through which said road may run, if through more than one county, shall, within thirty days after such first Monday in April, meet at such time and place, on the line of such road, as shall be designated by the Auditor of State, or, if he fails to designate and notify said Appraisers of such time and place of meeting within twenty days after such first Monday in April, then at such time and place as a majority of said Appraisers shall designate; and said Appraisers, or a majority of them, shall then ascertain and appraise the value of said road per mile by first making a valuation of the said railroad, and all its fixed property, situated within this State, including all its depots, depot grounds, machine shops, and other buildings erected thereon, and such proportion of the rolling stock and movable property used in operating the whole road, if part thereof is without this State, as the length of the railway in this State bears to the entire length thereof, within and with-

out this State; and in estimating the entire value of such railroad and its equipments, the Appraisers shall take into consideration its location for business, the competition of other transportation routes, by rail or by water, its earnings, expenses and repairs, the then present condition of its road-way and equipments, and its value as an investment, without reference to its cost or indebtedness; *Provided*, That all lands owned or held in trust by any Railroad Company, and not actually needed or used in operating the road, shall be assessed for taxation, and the taxes collected in the counties where they may be situated, in the same manner as taxes are assessed and collected on the lands of natural persons; but the rolling machinery shall be deemed to be embodied in the appraisement by the mile.

Sec. 3. The Appraisers, after making their valuation, as aforesaid, shall then apportion by the mile the whole value of the railroad, and its equipments, thus ascertained, and estimated to the counties respectively, in proportion to the length of road in each county through which it runs, and such value by the mile shall be the basis for the assessment of State and county taxes, according to the rate of taxation for other property.

Sec. 4. If any such Railroad Company shall fail or refuse to furnish to the Appraiser of the proper county the statement provided for in the first section of this act, such Appraisers shall make out such statement from the best information they can obtain; and to enable them so to do they are hereby authorized to examine, on oath or affirmation, any and all persons whom they may suppose to have knowledge of any facts necessary to be ascertained in making such statement.

Sec. 5. If any Railroad Company shall be dissatisfied with the valuation so made by said County Appraisers, such company may, provided they have complied with the provisions of the first sections of this act, appeal therefrom to the State Board of Equalization, at its first session thereafter, by serving a written or printed notice, sealed with its corporate seal, on the Auditor of State, to that effect, not less than ten days before the meeting of such Board; and said Board of Equalization is hereby empowered to examine the alleged grievances, and grant such relief as may be deemed just.

Sec. 6. In all cases where the taxes of any such Railroad Companies, for any year previous to the year 1856, have at any time been

fully adjusted and paid to the State and counties through which such roads run, upon the basis of the valuation of the property of such companies, according to the provisions of the act entitled an "act to amend the sixth, eighth, ninth and fourteenth sections of an act entitled 'an act to provide for the appraisement of real estate, and prescribing the duties of officers in relation thereto,' approved December 21, 1858;" also, "defining the duties of Appraisers and Deputy Appraisers, and the Auditor of State," approved March 4, 1859, and in all cases where the taxes for any such Railroad Companies for any year since 1858 have been in like manner adjusted and paid upon the basis of the valuation of the property of such companies made by the Appraisers, or a majority of them, of the counties through which such roads run, or upon the taxes of the valuation of such roads made by the State Board of Equalization, such payments shall be deemed valid and effectual to discharge such Railroad Companies from the payment of any other or further taxes for any such years.

Sec. 7. The cities and incorporated towns through or into which a railroad may pass, shall take the same valuation by the mile as a basis for city and town purposes, for the length of road running through or into such cities and towns, as shall be fixed by the Appraisers, in accordance with the provisions of previous sections of this act, and, in addition thereto, may assess any railroad building, fixtures and machinery connected therewith, within the city or town limits, on the same basis, and in the same manner, that the like property of natural persons is assessed, and collect the taxes thereon as other taxes are collected; but the rolling machinery used in operating the road shall be deemed to be embodied in the taxes by the mile.

Sec. 8. In case any railroad, or part thereof, shall have been, or shall hereafter be leased, conveyed, or mortgaged to any other Railroad Company, and shall be in the possession of such other company, under such lease, conveyance, or mortgage, the road, or part thereof, so leased, conveyed, or mortgaged, shall, during the continuance of such possession, be assessed for taxation as the property of the company having such possession, in the same manner as if it were a part of the road of such lessee, grantee, or mortgagee, under its own charter; and such lessee, grantee, or mortgagee shall, during the continuance of such possession, have all the rights, and be subject to all the duties and liabilities in relation to the road, or parts thereof, so held, which are created by this act; and both its property and the

road, or parts thereof, so held, with its fixtures, and the property used in operating the same, shall be liable for the payment of such taxes, in the same manner as railroad property is, in other cases, made liable for taxes properly assessed against the same.

Sec. 9. All laws and parts of laws inconsistent with this act are hereby repealed, and as there is uncertainty in the meaning and effect of the laws previously in force, which ought to be immediately removed, an emergency exists for the immediate taking effect of this act, and it is hereby declared to be in force from and after its passage.

ORDER OF BUSINESS.

House bill No. 47. A bill to increase the powers of the Board of Sinking Fund Commissioners, and to authorize said Board to loan any monies belonging to said fund, and to invest any monies belonging to said fund in Indiana State bonds or stocks, and providing for the cancelling of such bonds or stocks, and the re-issuing of new non-negotiable bonds or stocks payable to said fund,

Was taken up, together with the message of the Governor.

The question being shall said bill pass, the Governor's objections to the contrary notwithstanding?

Mr. Branham moved a call of the House, when the following members answered to their names.

Messrs. Abbett, Atkinson, Bird, Bonner, Boyd, Branham, Brown, Burnes, Buskirk, Caldwell, Chambers, Church, Coffroth, Collins, Cowgill, Cox, Croan, Crook, Davidson, Dunham, Ferris, Foulke, Glazebrook, Goodman, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Hargrove, Henricks, Hershey, Higgins, Hogate, Hoover, Humphreys, Hunt, James, Kilgore, Lane, Lemon, Litson, Lockhart, Lopp, Major, Miller, Milroy, Montgomery, Newcomb, O'Brien, Olleman, Osborn, Perigo, Pinney, Prather, Reese, Rhoads, Rice, Richards, Richardson, Riford, Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Spencer, Stewart, Stivers, Stringer, Stuckey, Sullivan of P. and V., Thatcher, Trusler, Upson, Veach, Weikel, Welch, White, Wright Woods, Zeigler and Mr. Speaker—83

A quorum being present a further call was dispensed with.

The question being, shall House bill No. 47 pass, the Governor's objections to the contrary notwithstanding ?

None voting in the affirmative.

Those who voted in the negative were,

Messrs. Abbett, Atkinson, Bird Bonner, Boyd, Branham, Brown, Buskirk, Caldwell, Chambers, Church, Coffroth, Collins, Cowgill, Croan, Davidson, Dunham, Ferris, Foulke, Glazebrook, Goodman, Gregg, Gregory of Montgomery, Gregory, of Warren, Griffith, Groves, Hamrick, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Humphreys, Hunt, James, Kilgore, Lane, Lemon, Litson, Lockhart, Lopp, Major, Miller, Milroy, Montgomery, Newcomb, O'Brien, Olleman, Osborn, Perigo, Pinney, Prather, Rhoads, Rice, Riford, Roach, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Spencer, Stewart, Stivers, Stringer, Stuckey, Sullivan of P. and V., Thatcher, Trusler, Upson, Veach, Weikel, Welch, White, Wright, Zeigler and Mr. Speaker—77.

So the bill did not pass.

Mr. Branham moved to suspend the order of business and take up House bill No. 158.

Which was agreed to.

House bill No. 158. A bill to provide for the appraisement for taxation of the property of railroad companies within this State, prescribing the duties of officers, in relation thereto, and repealing all laws in contravention thereof or inconsistent therewith.

Was taken up with the engrossed amendments of the Senate, heretofore reported.

Mr. Branham moved to concur in said amendments, with the following additional amendments, heretofore reported.

Mr. Newcomb moved to amend as follows:

Add to section 6, "and shall also discharge any county from any and all liability to the State on account of such taxes."

Which was agreed to.

The amendments reported by the committee were severally read and agreed to.

The question then being on concurring in the engrossed amendments of the Senate.

They were agreed to.

Ordered, That the Clerk inform the Senate thereof.

Mr. Brown called up the motion made by Mr. Lasselle on yesterday to reconsider the vote whereby the House indefinitely postponed House bill No. 289.

Which was agreed to.

The question being on reconsidering the vote whereby the House indefinitely postponed House bill No. 289.

It was agreed to.

House bill No. 289. A bill to amend section two of an act entitled, "an act regulating the fees of officers and repealing former acts in relation thereto, approved March 2, 1855.

Was then read a second time and,

The question being shall said bill pass?

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Bird, Bonner, Boyd, Brown, Barnes, Buskirk, Caldwell, Coffroth, Collins, Croan, Dunham, Goodman, Gregg, Gregory of Warren, Groves, Hamrick, Henricks, Higgins, Hoover, Humphreys, Hunt, James, Lane, Lasselle, Lemon, Litson, Lockhart, Lopp, Major, Meredith, Miller, Milroy, Montgomery, Newcomb, Olleman, Osborn, Perigo, Pinney, Reese, Rhoads, Rice, Richards, Riford, Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Spencer, Stewart, Stuckey, Sullivan of P. and V., Thatcher, Trusler, Upson, Veach, Weikel, Welch, White, Wright, Woods, Zeigler and Mr. Speaker—66.

Those who voted in the negative were,

Messrs. Branham, Cowgill, Davidson, Ferris, Glazebrook, Gregory of Montgomery, McVey, Prather and Stringer—9.

The question being shall the title, as read, stand as the title of said bill.

It was so ordered.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

A message from the Senate, by Mr. Wilson, their Secretary.

MR. SPEAKER:

I am directed by the President of the Senate, to inform the House of Representatives, that the Senate has passed the following engrossed bills thereof.

Engrossed Senate bill No. 219, entitled, "an act defining who shall be competent witnesses to testify in any court or judicial proceedings in this State, and to repeal all laws and parts of laws in conflict with the provisions of this act."

Also, engrossed Senate bill No. 293, entitled, "an act to provide for the periodic enumeration of the white male inhabitants of this State over the age of twenty-one years, to prescribe the duties, and fix the compensation of officers in relation thereto, and also, to prescribe the penalties for the violation of official duty in connection with said enumerations, as well as the manner in which, and the courts by which said penalties shall be enforced."

Also, that the Senate has passed House bill No. 285, with the following engrossed Senate amendments, to-wit: "With amended title, and Senate bill 279, as substituted for said bill, after enacting clause."

Also, that the Senate has passed House bill No. 119, with the following amendments, to-wit:

To amend the title.
To amend section 2.
To amend section 3, by inserting a new section therefor.
To amend section 4.
To amend section 8, by striking said section from said bill.
To amend section 10.
To amend section 11.
To amend section 12, to conform to amended section 11.
To amend section 14.
And further amending said bill, by adding thereto an additional section No. 18, in which the concurrence of the House is respectfully requested.

Mr. Higgins in the Chair,

Mr. Newcomb moved to suspend the order of business, and take up Senate bill No. 198.

Which was agreed to.

Engrossed Senate bill No. 198. A bill repealing an act for the relief of the families of soldiers, seaman and marines, sick and wounded Indiana soldiers in hospitals in the State and United States service, and of those who have died or been disabled in said service, and prescribing the duties of certain officers therein named, approved March 4, 1865; and providing for the collection and disposition of the taxes levied in pursuance thereof, for this year 1865, and providing when the same shall take effect.

Was taken up and read a second time, with amendments heretofore reported by the Committee on Soldier's Home.

Mr. Branham moved to re-commit said bill, with the following instructions:

Mr. Branham moved to recommit with instructions to so amend as to provide for the payment from the county treasury of such amounts as will provide for the comfort of all classes under the pension laws of the United States.

Mr. Lane offered the following additional amendment:

Strike out "15 per centum," where it occurs, and insert "10 per centum."

Mr. Cowgill offered the following additional amendment:

I move to recommit to the committee with instructions to so amend the bill as to make it obligatory upon county boards to make such appropriations out of the county treasury as will amply provide for all the needy and disabled soldiers in the respective counties where they may reside.

Mr. Chambers moved the previous question,
Which was seconded by the House.

The question being, shall the main question be now put?
It was so ordered.

Mr. Sullivan, of Vanderburgh, moved to lay all pending amendments on the table.

Mr. Kilgore moved that the House do now adjourn,
Which was not agreed to.

The question being on laying the amendments on the table, Messrs. White and Griffith demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Atkinson, Bird, Bonner, Boyd, Branham, Burnes, Buskirk, Caldwell, Chambers, Collins, Cox, Davidson, Ferris, Glazebrook, Goodman, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Harrison, Hershey, Higgins, Hunt, James, Lemon, Lopp, Milroy, Osborn, Perigo, Pinney, Prather, Reece, Rice, Richards, Shoaff of Allen, Shoaff of Jay, Spencer, Stringer, Stuckey, Sullivan of P. and V., Thatcher, Trusler, Veach, Weikel, White, Woods and Zeigler—48.

Those who voted in the negative were,

Messrs. Abbett, Brown, Coffroth, Cowgill, Dunham, Gleason, Hamrick, Henricks, Hogate, Hoover, Kilgore, Lane, Litson, Lockhart, Major, Miller, Montgomery, McVey, Newcomb, O'Brien, Olleman, Rhoads, Riford, Sabin, Shuey, Sim, Stuart, Stivers, Welch, Wright and Mr. Speaker—31.

So the motion to lay on the table prevailed.

Mr. Newcomb moved make Senate bill No. 198 the special order for 2 o'clock this afternoon.

Which was agreed to.

On motion by Mr. Hamrick.

The House adjourned.

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2 o'clock, p. m.

The House met.

The Speaker ordered a call of the House, when the following members answered to their names:

Messrs. Abbett, Bonner, Boyd, Branham, Burnes, Buskirk, Cald-

well, Church, Collins, Cox, Davidson, Ferris, Gleason, Goodman, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Hunt, James, Kilgore, Lane, Lasselle, Lemon, Litson, Lockhart, Lopp, Major, Miller, Milroy, Montgomery, McVey, Newcomb, O'Brien, Olleman, Osborn, Patterson, Perigo, Pinney, Prather, Reese, Rhoads, Rice, Richards, Riford, Roach, Shuey, Sim, Stuart, Stringer, Stuckey, Sullivan of P. and V., Thatcher, Trusler, Veach, Weikel, Wright, Woods, Zeigler and Mr. Speaker—68.

A quorum being present, a further call was dispensed with.

Mr. James (Mr. Church in the Chair), from the Committee on Corporations, made the following report:

Mr. Speaker:

The Committee on corporations, to whom was referred Senate bill No. 306, have had the same under consideration, and instruct me to report the same back to the House and recommend its passage.

Which report was laid on the table.

Mr. Buskirk moved to suspend the order of business, and take up House bill No. 255.

Which was agreed to.

House bill No. 255. A bill supplemental to an act entitled "an act for the incorporation of insurance companies, defining their powers and prescribing their duties," approved June 17, 1852.

Was taken up and read a third time.

The question being, shall said bill pass?

Those who voted in the affirmative were,

Messrs. Abbett, Bird, Brown, Buskirk, Chambers, Church, Collins, Cox, Davidson, Gleason, Goodman, Gregg, Groves, Hamrick, Harrison, Humphreys, Hunt, Kilgore, Lasselle, Lemon, Litson, Lopp, Major, Milroy, Montgomery, McVey, Newcomb, O'Brien, Osborn, Patterson, Prather, Reese, Rhoads, Rice, Riford, Roach, Shoaff of Allen, Sim, Spencer, Stivers, Stringer, Stuckey, Sullivan of P. & V., Thatcher, Trusler, Veach, Weikel and Mr. Speaker—48.

Those who voted in the negative were,

Messrs. Atkinson, Bonner, Boyd, Branham, Burnes, Crook, Ferris, Gregory of Montgomery, Gregory of Warren, Griffith, Henricks, Hershey, Higgins, Hogate, Lane, Lockhart, Lopp, Meredith, Miller, Olleman, Perigo, Sabin, Shoaff of Jay, Shuey, Stewart, Upson, Woods and Zeigler—28.

So the bill failed to pass for want of a constitutional majority.

SPECIAL ORDER.

The hour having arrived for the consideration of Senate bill No. 198, the same was taken up.

Senate bill No. 198. A bill repealing an act entitled an act for the relief of the families of soldiers, seamen and marines, and sick and wounded Indiana soldiers in hospitals in the State and United States service, and of those who have died, or been disabled in such service, and prescribing the duties of certain officers therein named, approved March 4, 1865, and providing for the collection and distribution of the taxes levied in pursuance thereof, for the year 1865, and providing when the same shall take effect,

Was taken up.

Mr. Newcomb offered the following amendment:

Amend section 3 by adding thereto the following: And it shall be the duty of the Board of Commissioners of the several counties to provide in such manner as they shall deem best, in a liberal manner, from said fund, or from the general fund of the county, for the necessary support of needy persons of the following classes, to-wit: First. Non-commissioned officers and soldiers who have been, or are now, or shall hereafter become disabled by reason of wounds or disease incurred or contracted in the line of duty in the service of the State or of the United States, in the late war for the suppression of the rebellion. Second. The wives and children, and mothers who were dependent on such soldiers; the widows and children of all officers and soldiers who were killed or died from wounds or disease, done or contracted in the line of duty in such service, or who have since died, or shall hereafter die, from and of such causes. But in no cases shall the beneficiaries of this act be included among the

poor provided for by the existing laws, nor shall they be to the county infirmaries provided for such.

Which was agreed to.

Mr. Newcomb offered the following amendment:

Sec. —. The Treasurers of the several counties shall pay over to the State Treasurer seven per cent. of all the taxes levied and collected, or to be collected, under the provisions of said act, for the year 1865, out of which seven per cent. shall be paid any indebtedness incurred or created by the Governor in anticipation of the one hundred thousand dollars appropriated by the second section of the above named act, for the year 1865, for the relief of sick and wounded Indiana soldiers in hospitals; and the residue of said seven per cent. may be applied, under the direction of the Governor, to the relief of sick, destitute, wounded, or disabled Indiana soldiers, who have been honorably discharged, and may need such assistance, and the amount and manner of such expenditure shall be reported by the Governor to the next General Assembly.

Which was agreed to.

Mr. Kilgore offered the following amendment:

Sec. —. Nothing in this act shall be construed so as to prevent the Board of Commissioners of any county from allowing to the families of soldiers the amount to which they are entitled by the provisions of the act hereby repealed, for the year 1865, in all cases where the same has not been allowed.

Which was agreed to.

Mr. Pettit offered the following amendment:

And provided further, That no part of the fund so retained in the County Treasury shall be applied, in payment of bonds or orders, named or described in the act of the General Assembly, approved March 3, 1865, entitled "an act to legalize the issuing of bonds, and making appropriations, and levy and assessment for taxes in certain cases; and making it unlawful, after the quota of the State on the present call is filled, for Boards of County Commissioners, or the municipal authorities of incorporated towns and cities, to pay any money out of their treasuries, or the issue of any bonds, orders, or evidences of indebtedness, to give bounties to volunteers, drafted men, or substitutes, except as provided in said act."

Mr. Branham moved the previous question.
Which was seconded by the House.

The question being, shall the main question be now put?
It was so ordered.

The question being on the amendments offered by Mr. Pettit,

Messrs. Collins and Pettit demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Atkinson, Boyd, Branham, Chambers, Church, Cox, Davidson, Ferris, Gleason, Gregory of Montgomery, Griffith, Hamrick, Hershey, Higgins, Hogate, Hoover, James, Kilgore, Lane, Lockhart, Major, Meredith, Montgomery, McVey, Olleman, Prather, Reese, Rhoads, Riford, Sabin, Shuey, Sim, Stewart, Stivers, Sullivan of P. and V., Upson, Welch, Wright, Woods and Mr. Speaker—40.

Those who voted in the negative were,

Messrs. Bird, Bonner, Burnes, Buskirk, Caldwell, Coffroth, Collins, Crook, Dunham, Goodman, Gregg, Gregory of Warren, Groves, Harrison, Humphreys, Hunt, Lemon, Lopp, Miller, Milroy, Newcomb, O'Brien, Osborn, Patterson, Perigo, Pinney, Rice, Richards, Shoaff of Allen, Shoaff of Jay, Spencer, Stringer, Stuckey, Trusler, Veach and Weikel—35.

So the amendment was adopted.

Mr. Newcomb moved that the amendments be considered as engrossed, and said bill be read a third time.
Which was agreed to.

Senate bill No. 198, was then read a third time and,

The question being shall said bill pass?

Those who voted in the affirmative were,

Messrs. Atkinson, Bird, Bonner, Boyd, Branham, Burnes, Buskirk, Caldwell, Chambers, Church, Coffroth, Collins, Cox, Davidson, Ferris, Gleason, Goodman, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Hunt, James, Kilgore, Lane, Lasselle,

Lockhart, Lopp, Major, Meredith, Miller, Milroy, Montgomery, McVey, Newcomb, Olleman, Osborn, Perigo, Pinney, Prather, Reese, Rhoads, Rice, Riford, Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Spencer, Stewart, Stivers, Stringer, Stuckey, Sullivan of P. and V., Thatcher, Trusler, Upson, Veach, Weikel, Welch, Wright, Woods, Zeigler and Mr. Speaker—74.

Those who voted in the negative were,

Messrs. Dunham, Humphreys, Lemon and Richards—4.

So the bill passed.

The question being, shall the title, as read, stand as the title of said bill?

Mr. Newcomb moved to amend said title by adding the following: "And requiring the Boards of County Commissioners to make provision for the support of needy and disabled soldiers, the wives and children of such, and the widows orphans and dependent mothers of certain soldiers therein named."

The question being on the adoption of the amendment offered by Mr. Newcomb.

It was agreed to.

The question being, shall the title, as amended, stand as the title of said bill?

It was so ordered.

Ordered, That the Clerk inform the Senate thereof.

Mr. Higgins moved to suspend the regular order of business and take up Senate bill No. 114.

Which was agreed to, and,

Senate bill No. 114,

Was taken up, read a second time, and passed to a third reading.

Mr. Rhoads from the Joint Committee on Enrolled Bills made the following report:

MR. SPEAKER:

The Joint Committee on Enrolled Bills, respectfully report that they, have examined enrolled act (House of Representatives,) No.

125, and have compared the same with the engrossed copy thereof and instruct me to report the said act in all respects properly and correctly enrolled.

Mr. Buskirk moved to take up House bills on third reading.
Which was agreed to.

HOUSE BILLS ON THIRD READING.

House bill No. 206. A bill to amend section 7 of an act entitled "an act for the erection and repair of bridges," and to repeal an act entitled, "an act to provide for the erection and repair of bridges," approved May 12, 1852.
Was taken up, and read a third time.

The question being shall said bill pass?

Those who voted in the affirmative were,

Messrs. Bird, Bonner, Boyd, Brown, Burnes, Buskirk, Caldwell, Chambers, Church, Coffroth, Collins, Cox, Davidson, Dunham, Ferris, Goodman, Gregory of Warren, Griffith, Groves, Hamrick, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Hunt, James, Lane, Lassell, Lemon, Lockhart, Lopp, Major, Meredith, Miller, Milroy, Montgomery, McVey, Newcomb, Osborn, Pinney, Prather, Rhoads, Rice, Richards, Riford, Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Spencer, Stewart, Stivers, Stringer, Stuckey, Sullivan of P. and V., Thatcher, Trusler, Upson, Veach, Weikel, Welch, Woods, Zeigler and Mr. Speaker—68.

None voting in the negative.

The question being, shall the title, as read, stand as the title of said bill.
It was so ordered.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

House bill No. 223. A bill to prevent the killing of birds.

Was taken up, and read a third time.

Mr. Rhoads, by unanimous consent, moved to amend said bill as follows:

Insert, after the word "shall," in the second section, the following: "be deemed guilty of a misdemeanor."

Which was agreed to.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Atkinson, Bonner, Brown, Burnes, Caldwell, Chambers, Coffroth, Cox, Ferris, Gleason, Gregg, Gregory of Warren, Griffith, Harrison, Henricks, Hershey, Higgins, Hogate, James, Lane, Lasselle, Lockhart, Major, Meredith, McVey, Pinney, Prather, Riford, Roach, Sabin, Sim, Sullivan of P. and V., Thatcher, Veach, Welch, Woods, Zeigler and Mr. Speaker—40.

Those who voted in the negative were,

Messrs. Boyd, Buskirk, Church, Collins, Davidson, Goodman, Groves, Hamrick, Hoover, Humphreys, Lemon, Lopp, Miller, Milroy, Montgomery, Newcomb, Osborn, Patterson, Perigo, Richards, Shoaff of Jay, Shoaff of Allen, Shuey, Spencer, Stewart, Stringer, Stuckey, Trusler, Upson, Weikel and Wright—31.

So the bill failed to pass, for want of a constitutional majority.

Mr. Rhoads, by unanimous consent, moved to strike out the words, "or to pursue with intent to kill any," in the first section.

Which was agreed to.

House Joint Resolution No. 20. A joint resolution instructing our Senators and requesting our Representatives in Congress, to secure the passage of a law by which the soldiers and officers of the war for the suppression of the rebellion shall be placed, as near as possible, upon an equal footing in the bounty, or bounty and monthly pay, as is just and right, according to the length of time each have served the country in said war.

Was read a third time, and,

The question being, shall said Joint Resolution No. 20 pass?

Those who voted in the affirmative were,

Messrs. Atkinson, Bonner, Boyd, Branham, Brown, Burnes, Buskirk, Caldwell, Chambers, Coffroth, Cox, Davidson, Ferris, Gleason,

Goodman, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Harrison, Hershey, Higgins, Hogate, Hoover, Humphreys, Hunt, James, Lane, Lasselle, Lemon, Lockhart, Lopp, Major, Miller, Milroy, Montgomery, McVey, Newcomb, Osborn, Perigo, Pinney, Prather, Rhoads, Rice, Riford, Roach, Sabin, Shoaff of Jay, Shuey, Spencer, Stewart, Stivers, Stringer, Stuckey, Sullivan of P. and V., Thatcher, Trusler, Upson, Weikel, Welch, Wright, Woods, Zeigler and Mr. Speaker—66.

Those who voted in the negative were,

Mr. Collins, only, voting in the negative.

So the joint resolution passed.

The question being, shall the title, as read, stand as the title of said Joint Resolution?

Mr. Gregory, of Warren, moved to amend said title as follows:

"And recommending the granting of pensions to soldiers of the late war of 1812, who have remained loyal to the country,"

Which was agreed to.

The question being, shall the title, as amended, stand as the title of said joint resoltion?

It was so ordered.

Ordered, That the Clerk inform the Senate thereof.

Mr. Newcomb moved that when the House adjourn, it meet again at 7 o'clock this evening.

Which was not agreed to.

Mr. Brown moved that the House do now adjourn.

Which was not agreed to.

Mr. Buskirk moved to reconsider the vote whereby the House took up House bills on third reading.

Messrs. Brown and Spencer demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Atkinson, Bird, Branham, Brown, Chambers, Church, Coffroth, Collins, Cox, Ferris, Gleason, Gregg, Gregory of Warren,

Hamrick, Harrison, Henricks, Hershey, Higgins, Hoover, James, Lane, Lasselle, Lockhart, Lopp, Major, Miller, Montgomery, Newcomb, Osborn, Perigo, Pinney, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Stewart, Stivers, Stuckey, Sullivan of P. and V., Thatcher, Trusler, Weikel, Welch, Wright, Woods, Zeigler and Mr. Speaker —48.

Those who voted in the negative were,

Messrs. Bonner, Boyd, Buskirk, Davidson, Griffith, Groves, Humphreys, Hunt, McVey, Prather, Stringer and Upson—12.

No quorum voting.

Mr. Coffroth moved a call of the House, which was ordered, when the following members answered to their names:

Messrs. Atkinson, Bird, Bonner, Branham, Brown, Burnes, Buskirk, Chambers, Church, Coffroth, Collins, Cox, Davidson, Ferris, Gleason, Goodman, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Humphreys, Hunt, James, Lane, Lasselle, Lemon, Litson, Lockhart, Major, Miller, Montgomery, McVey, Newcomb, Osborn, Perigo, Pinney, Prather, Rhoads, Rice, Riford, Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Stewart, Stivers, Stringer, Stuckey, Sullivan of P. and V., Thatcher, Trusler, Upson, Welch, Wright, Woods, Zeigler and Mr. Speaker—67.

There being a quorum present,

On motion by Mr. Bird,

Further proceedings under the call were dispensed with.

The question being on reconsidering the vote to take up House bills on third reading,

It was agreed to.

SENATE BILLS ON SECOND READING.

Senate bill No. 103. A bill repealing all general laws now in force for the incorporation of cities, providing for the incorporation of cities, prescribing their powers, rights and duties, and the manner in which they shall exercise the same, and regulating other matters properly connected therewith, and repealing certain acts therein specified.

Was taken up.

Mr. Hamrick moved that it be deemed expedient to suspend the constitutional rule requiring bills to be read on three several days by sections, and that said bill be read a second time by title now.

The ayes and noes were taken under the Constitution.

Those who voted in the affirmative were,

Messrs. Atkinson, Bird, Bonner, Branham, Brown, Burnes, Buskirk, Caldwell, Chambers, Church, Coffroth, Collins, Cox, Davidson, Gleason, Gregg, Gregory of Warren, Griffith, Groves, Hamrick, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Humphrey, Hunt, James, Lane, Lasselle, Lemon, Lockhart, Lopp, Major, Miller, Milroy, Montgomery, McVey, Newcomb, O'Brien, Osborn, Perigo, Pinney, Prather, Rhoads, Rice, Riford, Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Stewart, Stivers, Stringer, Stuckey, Sullivan of P. and V., Thatcher, Trusler, Upson, Welch, Wright, Woods, Zeigler and Mr. Speaker—67.

None voting in the negative.

So it was deemed expedient to suspend said constitutional rule, and said bill was read a second time by its title.

The amendments heretofore reported by the Committee on Corporations, were read.

Mr. Buskirk moved to amend as follows:

Amend the 34th section by adding the following after line 315: "And if designed for a public park, cemeteries and water works, or fairs, such real estate may be purchased and held by such city, although lying without the limits of the corporation, and such city may, by ordinance, provide for the protection thereof, and for the manner in which, and the persons by whom the same may be used and occupied, and any conveyance heretofore made of real estate to any such city, for any of the purposes aforesaid, lying without the limits of such city, is hereby legalized and confirmed."

Which was agreed to.

Mr. Rhoads moved to strike out fifteen, and insert five, in line 57, of 41st section.

Mr. Higgins offered the following amendment:

Where it provides the term for which Mayor, Auditor, Clerk, &c., shall be elected, strike out the word "four" and insert "two."

Also, where the term "which Councilmen shall be elected," strike out the word "four," and insert "two."

Which was agreed to.

Mr. Newcomb offered the following amendment:

Amend section 66 by adding thereto the following: *Provided*, That all contracts made by any city, or by any officer under the authority thereof, for public improvements, or otherwise, in the profits whereof any officer of such city shall be interested directly or indirectly, shall be void.

Which was agreed to.

The amendments heretofore reported by the Committee on Corporations were agreed to.

Mr. Buskirk, by unanimous consent, offered the following resolution:

WHEREAS, The Indianapolis Gas Company charge exorbitant prices, and fail to provide a sufficient supply of gas to the State House; therefore,

Resolved, That the Committee on the Judiciary be instructed to report a bill to cancel the said contract.

Resolved, That the members from Marion be appointed a committee to see the managers of the Gas Company, and see if we cannot have a sufficient supply of gas during the remainder of the session.

Which was agreed to.

Mr. Higgins moved to postpone the further consideration of Senate bill No. 103 until 10 o'clock Monday morning, and make it a special order of the day for that hour.

Which was agreed to.

Mr. Montgomery moved that the House do now adjourn.

Which was not agreed to.

Senate bill No. 21 was read a second time, ordered to be engrossed, and passed to a third reading.

On motion by Mr. Milroy,

The House adjourned.

MONDAY MORNING, 9 o'clock, }
December 18, 1865. }

The House met pursuant to adjournment.

The Speaker ordered a call of the House, when the following members answered to their names:

Messrs. Atkinson, Bird, Bonner, Boyd, Branham, Brown, Burnes, Caldwell, Church, Coffroth, Collins, Cox, Croan, Crook, Davidson, Dunham, Gleason, Goodman, Gregory of Montgomery, Griffith, Groves, Hamrick, Henricks, Hershey, Higgins, Hogate, Hoover, Humphreys, Hunt, James, Lane, Lemon, Lopp, Major, Meredith, Milroy, Montgomery, McVey, Newcomb, O'Brien, Osborn, Patterson, Perigo, Pinney, Prather, Rhoads, Rice, Richards, Riford, Roach, Sabin, Shoaff of Allen, Shuey, Sim, Stewart, Stivers, Stuckey, Sullivan of P. and V., Trusler, Upson, Veach, Weikel, White, Wright, Woods, Zeigler and Mr. Speaker—67.

There being a quorum present, the further call was dispensed with.

The Clerk proceeded to read the Journal, when,

On motion by Mr. Osborn,
The further reading thereof was dispensed with.

PETITIONS, MEMORIALS AND REMONSTRANCES.

By Mr. Lemon:

A petition from sundry citizens of the State of Indiana, asking that the tax exemption be extended to a class of volunteer and drafted soldiers not now embraced in the provisions of an act of 1865.

Which was referred to the Committee on Ways and Means.

REPORTS FROM STANDING COMMITTEES.

Mr. Higgins, from the Committee on Ways and Means, introduced

House bill No. 328. A bill making specific appropriations for the year one thousand eight hundred and sixty-six.

Which was read a first time.

Mr. Newcomb moved that it be deemed expedient to suspend the constitutional rule, requiring bills to be read on three several days by sections, and that said bill be read the first and second time by its title now.

The ayes and noes were taken under the Constitution.

Those who voted in the affirmative were,

Messrs. Atkinson, Bonner, Boyd, Branham, Brown, Burnes, Caldwell, Church, Coffroth, Collins, Cox, Croan, Crook, Davidson, Gleason, Goodman, Gregory of Montgomery, Griffith, Groves, Hamrick, Henricks, Hershey, Higgins, Hogate, Hoover, Humphreys, Hunt, James, Lane, Lopp, Major, Meredith, Montgomery, McVey, Newcomb, O'Brien, Osborn, Patterson Perigo, Pinney, Prather, Rhoads, Rice, Richards, Riford, Roach, Sabin, Shoaff of Allen, Shuey, Sim, Stewart, Stivers, Sullivan of P. and V., Trusler, Upson, Veach, Weikel, Welch, White, Wright, Woods, Zeigler and Mr. Speaker —64.

Those who voted in the negative were,

Messrs. Dunham, Lemon and Milroy—3.

So it was deemed expedient to suspend said constitutional rule, and said bill was read a first and second time by its title, and,

On motion,

Said House bill No. 328, was referred to the Committee on Ways and Means.

Mr. Branham, from the Committee on Ways and Means, introduced

House bill No. 329. A bill making general appropriations for the year one thousand eight hundred and sixty-six, repealing certain sections of an act therein named, and declaring an emergency.

Mr. Branham moved that it be deemed expedient to suspend the constitutional rule requiring bills to be read on three several days by sections, and read said bill a first and second time, by title, now.

The ayes and noes were taken under the Constitution.

Those who voted in the affirmative were,

Messrs. Atkinson, Bird, Bonner, Boyd, Branham, Brown, Burnes, Caldwell, Chambers, Church, Cox, Croan, Crook, Davidson, Gleason, Goodman, Gregory of Montgomery, Griffith, Groves, Hamrick, Henricks, Hershey, Higgins, Hogate, Hoover, Humphreys, Hunt James, Lane, Lasselle, Lee, Lopp, Major, Meredith, Montgomery, Newcomb, O'Brien, Osborn, Patterson, Perigo, Pinney, Rhoads, Rice, Richards, Riford, Roach, Sabin, Shoaff of Allen, Shuey, Sim, Stewart, Stivers, Stucky, Sullivan of P. and V., Trusler, Upson, Veach Weikel, Welch, Wright, Woods, Zeigler and Mr. Speaker—62.

Those who voted in the negative were,

Messrs. Coffroth, Collins, Dunham, Lemon and White—5.

So it was deemed expedient to suspend said constitutional rule, and said House Bill No. 329, was read a first and second time, by its title, and on motion, was referred to the Committee on Ways and Means.

The Speaker laid before the House the following communication:

I herewith respectfully transmit a copy of the 19th annual report of the Trustees and Superintendant of the Institution for the Education of the Blind.

It will be perceived by the report, that additional appropriations are asked. As the session is near its close, I respectfully ask that the report may be immediately referred to the Committee on Finance, so that the propriety of making the appropriations solicited may be considered without delay.

I have the honor to be,
Very respectfully,
Your obedient servant,
CONRAD BAKER,
Lieut. Governor, Acting as Governor.

Which was referred to the Committee on Ways and Means.

REPORTS OF COMMITTEES.

Mr. Church, from the Committee on Swamp Lands, made the following report:

MR. SPEAKER:

The Committee on Swamp Lands, to whom was referred House

bill No. 325, a bill to amend section 16 and 17 of "an act to authorise the construction of levies and Drains," have had the same under consideration and direct me to report the same back to the House and recommend its passage.

Which report was laid on the table.

Mr. Boyd, from the Committee on Claims, made the following report:

Mr. Speaker:

The Committee on Claims, to whom was referred the following claims, to-wit:

The claim of Holloway, Douglass & Co., for the sum of seven hundred and seventy-one dollars and seventy-five cents ($771.75), for Daily Journals. and sixty-two dollars and fifty cents for printing enrolled bills, book and paper.

Also, Hall & Hutchinson for the sum of seven hundred and seventy-one dollars and seventy-five cents ($771.75), for the Daily Herald.

Also, Daily Telegraph Co., for the Daily Telegraph, five hundred and fourteen dollars and fifty cents ($514.50.)

Beg leave to report that the same be allowed and placed in the specific appropriation bill for payment.

Which report was referred to the Committee on Ways and Means, with instructions to incorporate the sums claimed in the specific appropriation bill.

Mr. Veach, from the Committee on Ways and Means, made the following report:

Mr. Speaker:

The Committee on Claims, to whom was referred the following claims: One in favor of J. T. Sailors for the sum of $16.75 cents for brooms, &c.; one in favor of Cox & Brandt, for the sum of $9.00 for ink; and one in favor of Dorsey & Layman, for the sum of $1.00 for hatchet, have had the same under consideration, and have directed we to report the same back and recommend that they be allowed and incorporated in the specific appropriation bill for payment.

Which report was referred to the Committee on Ways and Means, with instructions to incorporate the sums claimed in the specific appropriation bill.

Mr. Meredith, from the Committee on Benevolent and Scientific Institutions, made the following report:

MR. SPEAKER:

The appropriations made for meeting the necessary expenses of the Blind Asylum, at the late regular session of this body, have proved inadequate, and it has at this time less than one thousand dollars at its command with which to meet the deficits of the present year. It is imperative that the sum of $2,500 be appropriated to make the necessary repairs to the building in the way of putting thereon a new roof, &c. Five thousand dollars are required to meet the current expenses of the Asylum up to February 1, 1866. For the ensuing year, commencing Feb. 1, 1866, it already has an appropriation of $20,000.

The President of the Board of Trustees, and the Superintendent, aver that this amount, basing their calculations on the ordinary expenses of the year just closing, will be too small by at least $7,500; your committee, therefore, recommend the appropriation of the above sums, and that the Committee on Ways and Means be instructed to incorporate the amount in the specific appropriation bill.

Mr. James, from the Committee on Corporations, made the following report:

MR. SPEAKER:

The Committee on Corporations, to whom was referred Senate bill No. 141, have had the same under consideration, and instruct me to report the same back to the House, and recommend its passage.

Which report was laid on the table.

Mr. Rhoads, from the Joint Committee on Enrolled Bills, made the following report:

MR. SPEAKER:

The Joint Committee on Enrolled Bills respectfully report that they have carefully examined enrolled act of House of Representatives No. 158, and instruct me to report the same in all respects properly and correctly enrolled.

Which report was laid on the table.

Mr. Veach, from the select committee on House bill No. 291, made he following report:

MR. SPEAKER:

The select committee, to whom was referred House bill No. 291, a bill fixing the time of holding the Courts in the Sixth Judicial Circuit, have had the same under consideration, and have directed me to report the same back with the following amendments, and, when so amended, we recommend its passage.

Strike out all after the word "namely," in the first section, and insert the following:

"In the county of Owen, on the last Mondays in July and January in each year.

"And in the county of Sullivan, on the Mondays succeeding the Courts in the county of Owen.

"In the county of Vigo, on the Mondays succeeding the Courts in the county of Sullivan.

"In the county of Clay, on the Monday succeeding the Courts in the county of Vigo.

"In the county of Putnam, on the Monday succeeding the Courts in the county of Clay.

"In the county of Green, on the Monday succeeding the Courts in the county of Putnam.

"In the county of Monroe, on the Monday succeeding the Courts in the county of Green.

"In the county of Morgan, on the Monday succeeding the Courts in the county of Monroe.

"The said Court, if the business so require it, shall sit in the counties of Owen, Sullivan, Clay, Putnam, Green, Monroe, and Morgan two weeks each; and in the county of Vigo three weeks."

Amend third section, after the word "holding," strike out "three" and insert "four."

Amend section four, after the words "counties of," insert "Owen."

Which report, with accompanying amendments, was laid upon the table.

Mr. Boyd, from the Committee on Claims, made the following report:

MR. SPEAKER:

The Committee on Claims to whom was referred the claim of H. N. Hart of Lake county, for the sum of fifty dollars, as purchase money, for double payment on swamp lands, beg leave to report, that in their opinion, the said claim is just, and that the said Hart is

entitled to receive fifty dollars out of the swamp land fund; but inasmuch as there is a Senate bill now before this House, regulating and proposing to pay this and all such claims, the committee would therefore recommend, that for the present, the report lie on the table.

Which report was laid on the table.

Mr. Veach, from the Committee on Claims, made the following report:

Mr. Speaker:

The Committee on Claims, to whom was referred the claim of H. C. Chandler & Co., for the sum of sixty-six dollars and forty cents for stationary furnished the librarian for present session, have had the same under consideration, and have directed me to report the same back, and recommend that it be allowed and incorporated in the specific appropriation bill for payment.

Which report was referred to the Committee on Ways and Means, with directions to incorporate the same in the specific appropriation bill.

The Speaker announced that he had signed House bills Nos. 125 and 158.

Mr. Rice, from the special committee, made the following report:

Mr. Speaker:

The special coamittee to whom was referred the petition of John T. Campbell, asking a change of the road laws of this State, so as to have all roads worked by contract, and said contract let to the lowest responsible bidder, and paid by taxation, have had the same under consideration, and report that although they agree in the main with the suggestions in said petition mentioned, and recommend, at the earliest day practicable, the adoption of the plan suggested, yet at this time, in consideration of the already burden of taxation, and believing that a bill for that purpose could not become a law at this late day of the session, they recommend that the further consideration of this subject, be indefinitely postponed.

Which report was concurred in, and the bill indefinitely postponed.

Mr. Hamrick moved to make Senate bill No. 103, the special order for the day, for this evening at 7 o'clock.

Which was agreed to.

A message from the Senate by Mr. Wilson, their Secretary.

MR. SPEAKER:

I am directed by the President of the Senate, to inform the House of Representatives that the Senate has passed the following engrossed bills of the House, which are herewith respectfully returned.

Engrossed House bill No. 158, entitled "an act to provide for the appraisement for taxation of the property of the railroad companies within the State, prescribing the duties of officers in relation thereto, and repealing all laws in contravention thereof or inconsistent therewith.

Also, engrossed House bill No. 270, entitled "a bill fixing the per diem and mileage of members of the General Assembly, Secretaries, Clerks, Doorkeepers and other employees thereof," with the following engrossed Senate amendments, to-wit:

1. Strike out of section two all that part relative to the election of officers, and insert the following: "For the Extra Session of 1865."

2. To amend the act by striking out the words, "four dollars per day," wherever they occur, and insert the words, "five dollars per day."

Also, engrossed Senate bill No. 283, entitled "a bill to authorize the Common Council of any town in this State to appoint a town attorney, and providing compensation therefor."

Also, engrossed Senate bill No. 395, entitled "an act to amend the thirty-third section of an act entitled 'an act to provide for a general system of Common Schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and prescribing the fees of certain officers therein named, and for the establishment and regulation of Township Libraries, and to repeal all laws inconsistent therewith, and providing penalties therein prescribed,' approved March 6, 1865."

Also, engrossed Senate bill No. 282, entitled "a bill providing for the employment of watchmen in any of the cities of this State, and providing for their payment."

Also, engrossed Senate bill No. 278, entitled "an act to amend section 35 of an act entitled 'an act for the valuation and appraisement of the real and personal property, and the collection of taxes in the State of Indiana; for the election of township assessors, and prescribing the duties of assessors, appraisers of real property, county treasurers and auditors, and of the Auditor and Treasurer of State,' approved June 21, 1852, and providing when the same shall take effect."

Also, engrossed Senate bill No. 159, entitled "an act to authorize the erection and maintainence of Houses of Refuge, or Schools of Reform by cities, and the confinement therein of certain persons."

Also, engrossed Senate bill No. 296, entitled "an act to empower cities to construct gas works, and to issue bonds to procure the funds and levy a tax for their payment."

Also, engrossed Senate bill No. 303, entitled "an act to legalize and declare valid and effectual all the orders and judgments, and other proceedings made, rendered and had by and before the Court of Common Pleas of Whitley county, in this State, held in the court house in said county, in the month of March, 1865, and then and there before the regular Judge of said Court."

Also, engrossed Senate bill No. 305, entitled "an act in relation to the laying out and opening of public highways."

Also, engrossed Senate bill No. 308, entitled "a bill to provide for the relief of persons, or their heirs or assigns, who have made entries of United States lands as Swamp Lands belonging to this State, in cases where they have not been confirmed as such, or when otherwise the State was incompetent to make a good title, and who have paid the price thereof to the officers of the State authorized by law to receive the same."

Also, engrossed Senate bill No. 313, entitled "an act to amend the first and fourth sections of an act entitled 'an act to reorganize the Evansville Insurance Companies, chartered under the several acts of February 8, 1836, and January 1, 1850.'"

Also, engrossed Senate bill No. 314, entitled "an act authorizing the Board of Sinking Fund Commissioners to invest any moneys belonging to said fund in the Indiana State Bonds or Stocks, or in

United States Stocks, and when invested in Indiana State Bonds or Stocks, to provide for the cancellation of such Bonds or Stocks, and for the issuing of new non-negotiable bonds for the benefit of the School Fund."

Also, engrossed Senate bill No. 310, entitled "an act to amend sections one and two of an act entitled 'an act to enable the owners of wet lands to drain and reclaim them, when the same cannot be done without affecting the lands of others,' approved March 7, 1863."

Also, engrossed Senate bill No. 312, entitled "an act to amend the title of an act entitled 'an act concerning licenses to vend foreign merchandise, to exhibit any caravan, menagerie, circus, rope and wire dancing, puppet show and ledgerdemain,' so as to embrace the subject of said bill, and matters properly connected therewith."

A message from the Senate, by Mr. Wilson, their Secretary.

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has concurred in amendments of the House of Representatives to amendments of Senate to House bill No. 158.

Mr. Coffroth moved to suspend the order of business, and proceed to consider House bills on third reading.

Which was agreed to.

HOUSE BILLS ON THIRD READING.

House bill No. 211, a bill to enable common carriers to dispose of unclaimed freight and baggage,

Was read a third time, and,

The question being, shall said bill pass?

Those who voted in the affirmative were,

Messrs. Atkinson, Bird, Boyd, Brown, Burnes, Buskirk, Caldwell, Church, Coffroth, Collins, Cox, Croan, Crook, Davidson, Gleason, Goodman, Gregg, Gregory of Montgomery, Griffith, Henricks, Hershey, Hogate, Hoover, James, Lasselle, Lockhart, Major, Miller, Meredith, McVey, Newcomb, Pinney, Rhoads, Rice, Richards, Riford, Sabin, Shoaff of Allen, Shuey, Sim, Stewart, Stuckey, Sullivan of P.

and V., Trusler, Upson, Veach, Welch, White, Wright, Woods and Mr. Speaker—51.

Those who voted in the negative were,

Messrs. Chambers, Dunham, Groves, Hamrick, Hargrove, Higgins, Humphreys, Hunt, Lane, Lemon, Lopp, Milroy, Montgomery, Olleman, Osborn, Patterson, Perigo, Prather, Richardson, Roach, Weikle and Zeigler—22.

The question being, shall the title, as read, stand as the title of said bill?

It was so ordered.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

House bill No. 238. A bill to authorize foreign guardians to take possession of personal property of their wards, and receive and receipt for monies belonging to their said wards, in this State, and sue for and recover such property or money in the courts of this State,

Was read a third time, and,

The question being shall said bill pass?

Those who voted in the affirmative were,

Messrs. Atkinson, Bird, Bonner, Boyd, Bonham, Brown, Burnes, Buskirk, Caldwell, Chambers, Church, Coffroth, Collins, Cox, Croan, Crook, Davidson, Gleason, Goodman, Gregg, Gregory of Montgomery, Gregory of Warren, Groves, Hargrove, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, Hunt, Lane, Lasselle, Lemon, Lockhart, Lopp, Major, Meredith, Miller, Milroy, Montgomery, Olleman, Osborn, Perigo, Pinney, Prather, Rhoads, Rice, Richards, Richardson, Riford, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Stenger, Stuckey, Sullivan of P. and V., Trusler, Upson, Veach, Weikel, Welch, White, Wright, Woods, Zeigler and Mr. Speaker—69.

Mr. McVey voting in the negative.

The question being, shall the title, as read, stand as the title of said bill?

It was so ordered.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

House bill No. 234, a bill to repeal "an act to ascertain the amount of the fees and salaries of the Clerks of the Supreme, Circuit and Common Pleas Courts of this State, of the Sheriffs of the Supreme Court, and of the various counties in this State; of County Auditors, Treasurers and Recorders; of Circuit and Prosecuting Attorneys, and to provide punishment for a violation of its provisions," approved June 3, 1861.

Was read a third time.

Mr. Miller moved to lay said bill on the table.

Which was not agreed to.

The question being shall said bill pass?

Those who voted in the affirmative were,

Messrs. Bird, Bonner, Boyd, Brown, Burnes, Buskirk, Coffroth, Croan, Crook, Gregg, Gregory of Warren, Griffith, Hargrove, Henricks, Hogate, Humphreys, Lane, Lasselle, Lemon, Lopp, Meredith, Miller, Milroy, Montgomery, Newcomb, Osborn, Perigo, Pinney, Prather, Rhoads, Richards, Richardson, Riford, Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Stivers, Stringer, Stuckey, Trusler, Upson, Veach, Weikel, White, Wright, Zeigler and Mr. Speaker—56.

Those who voted in the negative were,

Messrs. Atkinson, Branham, Caldwell, Chambers, Collins, Cox, Davidson, Dunham, Goodman, Gregory of Montgomery, Griffith, Groves, Hershey, Higgins, Hoover, Lockhart, Lopp, Major, McVey, Olleman, Patterson, Rice, Sullivan of P. and V., Welch and Woods—21.

The question being, shall the title, as read, stand as the title of said bill?

It was so ordered.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

House bill No. 214, a bill to repeal an act entitled "an act to enforce the Thirteenth Article of the Constitution," approved June 18, 1852,

Was read a third time.

The question being, shall said bill pass?

Those who voted in the affirmative were,

Messrs. Atkinson, Bonner, Burnes, Chambers, Cox, Griffith Gregory of Warren, Hogate, Miller, Riford, Sabin, Shuey, Sim, Stivers, Trusler, Woods, and Mr. Speaker—17.

Those who voted in the negative were,

Messrs. Bird, Boyd, Branham, Brown, Buskirk, Caldwell, Coffroth, Collins, Croan, Crook, Davidson, Dunham, Glazebrook, Goodman, Gregg, Gregory of Montgomery, Groves, Hargrove, Henricks, Hershey, Higgins, Hoover, Humphreys, Hunt, Lane, Lasselle, Lemon, Lockhart, Lopp, Major, Milroy, Montgomery, McVey, Newcomb, O'Brien, Olleman, Osborn, Patterson, Perigo, Pinney, Prather, Rhoads, Richards, Richardson, Roach, Shoaff of Allen, Shoaff of Jay, Stringer, Stuckey, Upson, Veach, Weikel, Welch, White, Woodruff, Wright and Zeigler—58.

So the bill was lost.

House bill No. 253. A bill to amend section 8 of an act entitled "an act to fix the time of holding the Common Pleas Court in the several counties in this State, the duration of the terms thereof, and making all process from the Common Pleas Courts returnable to such terms, &c.

Was read a third time, and,

The question being, shall said bill pass?

Those who voted in the affirmative were,

Messrs. Atkinson, Bird, Bonner, Boyd, Branham, Brown, Buskirk, Caldwell, Chambers, Coffroth, Collins, Cox, Croan, Crook, Davidson, Dunham, Glazebrook, Goodman, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hargrove, Henricks, Hershey, Higgins, Hogate, Hoover, Humphreys, Hunt, James, Lane, Lasselle, Lemon, Lockhart, Lopp, Miller, Milroy, Montgomery, McVey, Newcomb, O'Brien, Olleman, Osborn, Patterson, Perigo, Prather, Pinney, Rhoads, Richards, Richardson, Riford, Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Stivers, Stringer, Stuckey, Sullivan of P. and V., Trusler, Upson, Veach, Weikel,

Welch, White, Woodruff, Wright, Woods, Zeigler and Mr. Speaker —73.

None voting in the negative.

The question being, shall the title as read stand as the title of said bill.

It was so ordered.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

House bill No. 164. "A bill to provide for locating and working highways, situated upon, contiguous to, or near by county lines."

Was read a third time, and,

The question being, shall said bill pass?

Those who voted in the affirmative were,

Messrs. Atkinson, Bird, Bonner, Boyd, Branham, Brown, Burnes, Buskirk, Caldwell, Chambers, Coffroth, Cox, Croan, Davidson, Dunham, Goodman, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hargrove, Henricks, Higgins, Hogate, Hoover, Humphreys, Hunt, James, Lane, Lasselle, Lemon, Lockhart, Lopp, Major, Meredith, Miller, Milroy, Montgomery, McVey, Newcomb, O'Brien, Olleman, Osborn, Perigo, Pinney, Prather, Rhoads, Richards, Richardson, Riford, Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Stivers, Stringer, Stuckey, Sullivan of P. and V., Trusler, Upson, Veach, Weikel, Welch, White, Woodruff, Wright, Wood, Zeigler and Mr. Speaker—70.

Those who voted in the negative were,

Messrs. Collins and Glazebrook—2.

The question being, shall the title, as read, stand as the title of said bill?

It was so ordered.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

House bill No. 276. A bill to authorize County Auditors to issue fee bills for the collection of costs accrued before boards of County Commissioners.

Was read a third time, and,

The question being, shall said bill pass?

Those who voted in the affirmative were,

Messrs. Atkinson, Bird, Bonner, Brown, Burnes, Buskirk, Caldwell, Chambers, Coffroth, Collins, Cox, Croan, Crook, Davidson, Dunham, Glazebrook, Gleason, Goodman, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hargrove, Henricks, Higgins, Hogate, Hoover, Humphreys, Hunt, James, Lane, Lasselle, Lemon, Lockhart, Lopp, Major, Miller, Milroy, Montgomery, McVey, Newcomb, O'Brien, Olleman, Osborn, Perigo, Pinney, Prather, Rhoads, Richards, Richardson, Riford, Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Stivers, Stringer, Stuckey, Sullivan of P. and V., Trusler, Upson, Veach, Weikel, Welch, White, Woodruff, Wright, Woods and Zeigler—73.

Mr. Meredith voting in the negative.

The question being, shall the title, as read, stand as the title of said bill?

It was so ordered.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

House bill No. 241. A bill to amend an act entitled, "an act authorizing the construction of plank macadimized and gravel roads," approved May 12, 1852.

Was read a third time, and,

The question being, shall said bill pass?

Those who voted in the affirmative were,

Messrs. Bonner, Davidson, Gleason, Goodman, Gregg, Gregory of Warren, Hamrick, Lane, Lemon, Meredith, Montgomery, Prather, Rhoads, Stivers, Stringer, Stuckey, Sullivan of P. and V., Upson, White and Woodruff—21.

Those who voted in the negative were,

Messrs. Atkinson, Bird, Boyd, Branham, Brown, Burnes, Caldwell, Chambers, Coffroth, Collins, Cox, Croan, Crook, Glazebrook, Gregory of Montgomery, Griffith, Groves, Hargrove, Henricks, Hershey, Higgins, Hogate, Hoover, Humphreys, Hunt, James, Lasselle, Lockhart, Lopp, Major, Miller, Milroy, McVey, Newcomb, O'Brien, Olleman, Osborn, Patterson, Perigo, Pinney, Richards, Richardson, Riford, Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Trusler, Veach, Weikel, Wright, Woods, Zeigler and Mr. Speaker—57.

So the bill was lost.

House bill No. 240. A bill to relieve county Auditors, Treasurers, Trustees, Assessors and other officers in certain cases for the year 1865, from the penalties attached for the violation of an act to discourage the keeping of useless and sheep killing dogs, &c., approved March 2, 1865, and declaring an emergency.

Was read a third time.

Mr. Higgins moved to lay the bill upon the table.

Which was not agreed to.

The question being shall said bill pass?

Those who voted in the affirmative were,

Messrs. Atkinson, Bird, Bonner, Boyd, Branham, Brown, Burnes, Caldwell, Coffroth, Collins, Cox, Crean, Crook, Davidson, Dunham, Glazebrook, Gleason, Goodman, Gregory of Warren, Griffith, Groves, Hargrove, Hogate, Hoover, Humphreys, Hunt, James, Lane, Lasselle, Lemon, Lopp, Major, Meredith, Miller, Milroy, McVey, Newcomb, O'Brien, Olleman, Osborn, Patterson, Perigo, Pinney, Prather, Rhoads, Richardson, Riford, Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Stivers, Stuckey, Trusler, Upson, Veach, Weikel, Welch, White, Woodruff, Wright and Mr. Speaker—64.

Those who voted in the negative were,

Messrs. Abbett, Buskirk, Chambers, Gregg, Gregory of Montgomery, Hamrick, Henricks, Hersey, Higgins, Kilgore, Lockhart, Montgomery, Richards, Stringer, Sullivan of P. and V., and Woods —16.

The question being, shall the title, as read, stand as the title of said bill?

It was so ordered.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

House bill No. 252 was read a third time.

Mr. Brown moved to recommit the bill to the committee on Education with instruction to strike out all that relates to "six years."

Which was agreed to.

House bill No. 271 was taken up and read a third time.

Mr. Coffroth moved to lay said bill on the table.

Which was agreed to.

House bill No. 263. A bill to provide by law, to prevent conductors running railroad trains, from obstructing any public highway or street to the hindrance of travel, and prescribing penalties therefor.

Was read a third time.

Mr. Branham asked unanimous consent to amend said bill by making the time "ten" minutes instead of "five."

Which was agreed to.

The question being shall said bill pass?

Those who voted in the affirmative were,

Messrs. Atkinson, Bird, Bonner, Boyd, Branham, Brown, Burnes, Buskirk, Caldwell, Chambers, Coffroth, Collins, Cox, Croan, Crook, Davidson, Glazebrook, Gleason, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hargrove, Henricks, Hershey, Higgins, Hoover, Humphreys, Hunt, James, Lane, Lasselle, Lemon, Lockhart, Lopp, Major, Miller, Milroy, Montgomery, McVey, Newcomb, O'Brien, Olleman, Osborn, Patterson, Pinney, Prather, Rhoads, Richardson, Riford, Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Stivers, Stringer, Stuckey, Trusler, Upson, Veach, Weikel, Welch, White, Woodruff, Wright, Woods, Zeigler and Mr. Speaker—71.

Those who voted in the negative were,

Messrs. Abbett, Hamrick, Hogate and Richards—4.

The question being, shall the title as read stand as the title of said bill?

It was so ordered.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Hamrick in the Chair,

House bill No. 23. A bill entitled an act to provide by law for draining and ditching low, wet and overflowed lands in the State of Indiana.

Was taken up, with amendments heretofore reported.

The amendments were read and agreed to.

Mr. Coffroth moved that the bill be considered as engrossed and read a third time now.

Which was agreed to.

And said House bill No. 23, was read a third time.

The question being, shall said bill pass?

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Bird, Bonner, Branham, Brown, Burnes, Buskirk, Caldwell, Chambers, Coffroth, Collins, Cox, Croan, Crook, Davidson, Dunham, Glazebrook, Gleason, Goodman, Gregg, Gregory of Warren, Griffith, Groves, Hamrick, Hargrove, Henricks, Hershey, Higgins, Hogate, Hoover, Humphreys, Hunt, James, Lane, Lemon, Lockhart, Lopp, Major, Montgomery, McVey, Newcomb, O'Brien, Olleman, Osborn, Perigo, Pinney, Richardson, Riford, Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Stivers, Stringer, Stuckey, Trusler, Veach, Weikel, Welch, White, Woodruff, Wright, Woods, Zeigler and Mr. Speaker—68.

Those who voted in the negative were,

Messrs. Boyd, Prather and Richards—3.

The question being, shall the title as read, stand as the the title of said bill?

It was so ordered.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

House bill No 301 was taken up, the same having been previously read a third time, and on motion by Mr. Brown, informally passed over until this afternoon.

Mr. Pettit obtained leave, and introduced the following concurrent resolution on the subject of foreign interference in Mexico, and the rule of neutral and belligerent rights:

Resolved, By the House of Representatives, (the Senate concurring therein,) that it is the sense of this General Assembly, in reference to the existing state of things in Mexico, that the United States should respectfully, but firmly assert and maintain, against foreign governments, at all proper times and places, and by means entirely adequate to effect it, the separate and independent right of that people, without any foreign interference, influence or control whatever, to continue, or establish and maintain the government and policy of its own choice, and especially, to assert and maintain, that this question shall not be allowed to be effected by the introduction, by foreign governments, of foreign levies, mercenaries, arms or military provisions into that country; and that every future or further attempt at such influence, control or interference, will be justly regarded as aggressive and injurious to our own policy and interests, and to ourselves.

Be it further Resolved as the sense of this General Assembly, That without any purpose of forsaking the just and honorable obligations of national friendship and comity, as required by public law, and especially, when strengthened by treaties of amity, by which the United States has been steadily governed, but as a means of compelling conformity to the same rule by other governments, it is the duty of the United States, until the obligation of the rule is acknowledged to apply to such other governments, the same construction of neutral and belligerent rights, as to their internal and external enemies, they have applied to us in derogation of the public law.

Which concurrent resolution was referred to the Committee on Federal Relations.

On motion by Mr. Brown the House adjourned.

2 o'clock p. m.

The House met.

The Speaker ordered a call of the House, when the following members answered to their names:

Messrs. Abbett, Atkinson, Bird, Bonner, Boyd, Branham, Burwell, Buskirk, Caldwell, Church, Cox, Davidson, Ferris, Glazebrook, Gleason, Goodman, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Humphreys, Hunt, James, Kilgore, Lane, Lee, Lemon, Lockhart, Lopp, Major, Meredith, Miller, Milroy, Montgomery, McVey, Newcomb, Olleman, Osborn, Perigo, Pinney, Prather, Reese, Richards, Richardson, Riford, Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Stewart, Stringer, Stuckey, Sullivan of Scott, Thatcher, Trusler, Upson, Weikel, White, Woodruff, Wright, Woods, Zeigler and Mr. Speaker—73.

A quorum being present, a further call was dispensed with.

Mr. Henricks, from the Committee on Claims, by consent, made the following report:

Mr. Speaker:

The Committee on Claims, to whom was referred the claim of Mr. Christman, for sixty dollars for ice for the use of the present session of the General Assembly, have had the same under consideration, and have instructed me to report the same as correct, and to ask that it be referred to the Committee on Ways and Means, and that they insert the same in an appropriation bill.

Which report was referred to the Committee on Ways and Means, with instructions to incorporate the sum claimed in the specific appropriation bill.

Mr. Brown moved to take up messages from the Senate, including House bill No. 285.

Which was agreed to.

Mr. Henricks moved to refer said House bill to the Committee on Ways and Means.

Which was agreed to.

[Copy of bill, from section 1 to 10 inclusive, not furnished.—STATE PRINTER.]

Sec. 11. The fourth section of the act of January 19th, 1846, recited in the first section of this act, shall not be repealed, nor shall the Indiana State Agency, in the City of New York, be abolished, unless the holders of all the Indiana State two and one-half, and five per cent. bonds and stocks provided for in this act, shall, prior to the first day of January, 1867, execute and file with the State Agent, at his office in the City of New York, their assent in writing to the terms of this act. Said assent to be executed by each of the holders of said bonds and stocks respectively, or by their agents or attorneys thereunto duly authorized. And if said holders, or any or either of them, should fail so to execute and file their assent as aforesaid within the time aforesaid, said fourth section of said act of January 19th, 1846, shall continue in full force, and said agency shall continue its operations as now prescribed by law, anything contained in the said first or any other section of this act to the contrary notwithstanding.

Sec. 12. The said coupon bonds, provided for in the second section of this act, shall not be engraved or executed, nor shall any expense be incurred in relation to the engraving thereof until the written assent of four-fifths' holders of said two and a half and five per cent. bonds and stocks shall have been executed and filed as required by the eleventh section of this act, and such assent, when executed and filed, shall be irrevocable.

Sec. 13. The books required to be provided by the third section of this act, shall not be procured, nor shall any expense be incurred in relation thereto until said holders of said bonds and stocks shall have executed and filed the written assent as required by the eleventh section of this act, nor shall the old bonds and stocks be surrendered and new ones issued, as provided in the fourth section of this act, until said assent shall have been so executed and filed.

Sec. 14. Unless the assent of all the holders of the Indiana two and a half and five per cent. stocks shall, within the time limited in the eleventh section of this act, have been executed and filed as required by said section, the books and papers of said agency shall not be sent to and deposited in the office of the Auditor of State; nor shall the furniture thereof be sold, as provided for in the fourth section of this act, anything in said fourth section to the contrary notwithstanding.

Sec. 15. Should the written assent required by the eleventh section of this act not be executed and filed within the time specified in said eleventh section, the interest on that portion of the public debt of the State, contemplated by this act, shall continue to be paid as heretofore at the agency in New York, anything in the fifth section of this act to the contrary notwithstanding.

Which was referred to the Committee on Ways and Means.

A message from the Senate by Mr. Wilson, their Secretary.

MR. SPEAKER:

I am directed by the President of the Senate to inform the House of Representatives that the Senate has passed the following engrossed bills of the House, which are herewith respectfully returned:

Engrossed House bill No. 21, entitled a bill to amend the 22d section of an act entitled "an act defining misdemeanors, and prescribing punishment therefor," approved June 14, 1852.

Also, engrossed House bill No. 22, entitled a bill to legalize the sale of certain school lands in Lake county.

Also, engrossed House bill No. 29, entitled an act to amend section 15 of an act entitled "an act concerning inclosures, trespassing animals and partition fences."

Also, engrossed House bill No. 33, entitled a bill to amend the 8th section of an act entitled "an act to regulate and license the sale of spirituous, vinous, malt, and other intoxicating liquors; to prohibit the adulteration of liquors; to repeal all laws concerning the provisions of this act, and prescribing penalties for violations thereof," approved March 5, 1859.

Also engrossed House bill No. 62, with the following engrossed Senate amendments, to-wit:

"To amend section one by striking out the word 'therefore,' wherever it occurs in the sixth line, and by numbering the emergency clause as section 2."

Also engrossed House bill No. 64, with the following engrossed Senate amendments, to-wit:

"Strike out all after the word "passage" in the emergency clause.

Also, engrossed House bill No. 75, entitled a bill to empower railroads to construct branches to neighboring coal mines.

Also, engrossed House bill No. 79, entitled a bill to amend an act entitled "an act providing for the election and appointment of Supervisors of highways, and prescribing certain of their duties, and those of county and township officers in relation thereto," approved March 5, 1859.

Also engrossed House bill No. 52, entitled a bill to render uniform the assessment of personal property in the several townships of the different counties.

Also, engrossed House bill No. 53, entitled a bill to amend section 14 of an act entitled "an act to provide for the uniform mode of doing township business, prescribing the duties of certain officers in connection therewith, and to repeal all laws in conflict with this act," approved February 18, 1859.

Also engrossed House bill No. 58, entitled a bill to amend the fifth and sixth sections of an act regulating the interest on money, and to repeal an act entitled "an act concerning interest on money," approved May 27, 1852; the 51st section of the act "defining misdemeanors, and prescribing punishment therefor," approved June 14, 1852, with all other laws and parts of laws in conflict with this act, approved Marth 7, 1861.

Also, engrossed House bill No. 67, entitled a bill to entitle Attorneys to hold liens on judgments.

Also, that the Senate has passed House Joint Resolution No. 11, entitled a Joint Resolution for the relief of George W. Archer, refunding to him the purchase money, and interest thereon, paid for certain real estate sold as swamp lands by the State, when the title was in one Michael John.

I am also directed by the President of the Senate to inform the House that the Senate has passed the following engrossed bills thereof, to-wit:

Engrossed Senate bill No. 294, entitled an act to amend the 18th and 19th sections of an act entitled "an act prescribing the powers and duties of Justices of the Peace in State prosecutions."

Also, Engrossed Senate bill No. 311, entitled an act to legalize sales by Deputy Sheriffs of real estate under execution, or by order of the Circuit Court or Court of Common Pleas, and to render valid the deeds made by said deputies in pursuance of such sales.

Also, Engrossed Senate bill No. 315, entitled an act defining certain misdemeanors, and prescribing the punishment therefor.

In which the concurrence of the House of Representatives is respectfully requested.

SPECIAL ORDER.

The hour having arrived for the consideration of House bill No. 301,

Mr. Brown moved to postpone the consideration of said House bill No. 301, and make it the special order for the day for to-morrow morning at 10 o'clock.

Which was agreed to.

Senate bill No. 15, a bill appointing Commissioners to adjust the claims of citizens of Indiana for damages sustained by reason of the raid of the rebel forces under the command of John Morgan, in July, 1863, and occasioned by any other or future raid; prescribing some of their powers and duties, and providing for the payment of the claims adjusted by said Commission, and matters properly connected therewith,

Was taken up, with sundry amendments by the House, to which the Senate has concurred in all but the following:

Amend section one by striking out the word "one," in the 4th line, and inserting in lieu thereof the word "three;" and further amend section one by adding the letter "s" to the word "Commissioner." Further amend section one by inserting after the word "corporation," in 27th line, the following: "But it shall be the duty of such Commission to investigate and examine all such claims, and to take the testimony of witnesses for and against such claims, and reduce such evidence to writing, and report the same to the next General Assembly, with a recommendation as to what amount should be allowed, with the reasons therefor; but to leave the question of the liability of the State open and undetermined, for the future action of the Legislature or the General Government."

Amend section two by adding the letter "s" to the word "Commissioner," in line 41.

Amend section three by adding the letter "s" to the word "Commissioner," in line 44. Further amend section three by adding after the word "county," in line 50, the following: "And in each county named in this bill."

Amend section 5 by striking out, in line 97, the word "appoint," and insert in lieu thereof the word "employ." Further amend said section by striking out all of said section after the word "State," in line 102, and insert in lieu thereof amended section 15.

Amend section 8 by adding the letter 's' to the word 'Commissioner,' in line 127; further amend said section by striking out the word 'him,' in line 131, and insert the word 'them;' and further amend section 8 by striking out the word 'his,' in line 132, and insert the word 'their;' also, by striking out the word 'he,' in line 134, and insert the word 'they;' further amend said section by striking out the word 'his,' in line 138, and inserting the word 'their;' and further amend the said section by adding the letter 's' to the word 'Commissioner,' in line 140, and by adding after the word 'Commissioners,' the words, 'or a majority thereof.'

Amend section 9 by striking out the word 'his,' in line 143, and insert the word 'their;' strike out the same word in line 144, and insert the word 'their;' further amend section 9 by adding after the word 'report,' in line 144, the following—separating said claims into the following classes:

1. Claims for property taken, destroyed or injured by the rebels.
2. Claims for property taken, destroyed or injured by the Union forces under command of Federal officers.
3. Claims for property taken, destroyed or injured by Union forces not under command of United States officers, with a statement showing, specifically, in each case, under what circumstances, and by what authority such property was so taken, injured or destroyed.

Amend section 9 by striking out the word 'he,' in line 146, and insert the word 'they;' amend the same section by adding the letter 's' to the word 'Commissioner,' in line 150; amend the same section by striking out the word 'he,' in line 163, and insert 'they.'

Amend section 10 by striking out the word 'eight' and inserting

the word 'six;' amend the same section by adding the letter 's' to the word 'Commissioner,' in line 190.

Amend section 11 by adding the letter 's' to the word 'Commissioner,' in line 192; ' amend the same section by adding the word 'he,' in line 194, or 'they.'

Amend section 12 by adding the letter 's' to the word 'Commissioner,' in line 200.

Sec. 14. It shall not be lawful for any person to receive any warrant for any of the allowances provided for under this act, until he, or the person under whom he may derive the same, or the agent or attorney of such person, shall have first filed with the Auditor of State his affidavit, which shall be dated and certified, not more than ten days before the issuing of the warrant, that he, or the person under whom he derives the same, or the principal of said agent or attorney, was the original claimant, and that since the passage of this act he has not, directly or indirectly sold, assigned or transferred the same to any person or persons whatever, or agreed, or stipulated with regard to the same; but that the whole interest thereof remains in himself, and any such sale, assignment or transfer made after the passage of this act, shall thereby vitiate and defeat said claim and allowance, and a payment made in contravention of this act may be recovered back in the name of the State, at any time within five years, with fifty per cent. damages, and interest from the date of said payment.

Sec. 15. The Governor shall also appoint some competent person to act as Clerk to such Commission, who, before entering upon his duties, shall take an oath or affirmation to faithfully and honestly discharge his duties; shall keep a full and accurate record of the proceedings of such Commission; shall file and preserve all papers filed with said Commission, and shall receive five dollars per day for the time actually employed, and may be removed by the ————, and another appointed in his stead.

Sec. 16. If the payments made from the State Treasury under the provisions of this act shall leave a deficit in the Treasury, so that other legal demands thereon cannot be paid, it shall be the duty of the Governor, Auditor and Treasurer of State, or a majority of them, to borrow a sum sufficient to reimburse the Treasury for the amount

drawn out under the provisions of this act, or so much thereof as may be necessary, for which they shall give an obligation of the State, payable at a day not later than March 10, 1867, with interest at the rate of six per cent. per annum.

Amend the title by adding the following:

And to authorize the Governor, Auditor and Treasurer of State to contract a loan for the purpose of reimbursing to the Treasury of the State the amount disbursed under the provisions hereof.

A message from the Senate, by Mr. Wilson, their Secretary:

MR. SPEAKER:

I am directed by the President of the Senate to inform the House of Representatives that the Senate has concurred in the following engrossed House amendments to engrossed Senate bill No. 15.

To amend section 1 by striking out all after the word "corporation" in line 27 and insert in lieu thereof amended section fourteen.

To further amend section 3 by adding after the word "county" in line 50 the following, "and in each county named in this bill."

To further amend section 9 by adding after the word "report in line 144, the following, "seperating said claims into the following classes:

"1st. Claims for property taken, destroyed, or injured by the rebels.

"2d. Claims for property taken, destroyed, or injured by the union forces under command of federal officers.

"3d. Claims for property taken, destroyed, or injured by union forces not under command of United States officers, with a statement showing specifically in each case under what circumstances, and by what authority such property was so taken, injured, or destroyed."

To amend section 10 by striking out the word "eight" and inserting the word "six" and that the Senate has refused to concur in all other engrossed House amendments to said bill.

Mr. Dunham moved that the House insist upon its amendments.

It was agreed to.

Ordered, That the Clerk inform the Senate thereof.

Mr. Branham moved to suspend the regular order of bnsiness and take up Senate bill 314.

Which was agreed to.

Mr. Branham moved that it be deemed expedient to suspend the constitutional rule, requiring bills to be read on three several days by sections, and read said bill a first and second time by its title, and a third time by sections, now.

The ayes and noes were taken under the constitution.

Those who voted in the affirmative were,

Messrs. Bonner, Boyd, Branham, Burnes, Caldwell, Church, Cowgill, Cox, Crook, Davidson, Ferris, Foulk, Gleason, Goodman, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, James, Kilgore, Lane, Lockhart, Major, Meredith, Miller, Montgomery, McVey, Newcomb, Olleman, Prather, Reece, Rhoads, Rice, Riford, Sabin, Shuey, Sim, Stewart, Stivers, Stringer, Stuckey, Sullivan of Scott, Sullivan of P. and V., Trusler, Upson, Veach, Welch, Woodruff, Woods, Wright, Zeigler and Mr. Speaker—58.

Those who voted in the negative were,

Messrs. Abbett, Bird, Brown, Burwell, Collins, Croan, Dunham, Glazebrook, Hargrove, Harrison, Humphreys, Hunt, Lasselle, Lee, Lemon, Lopp, Milroy, O'Brien, Osborn, Perigo, Pinney, Richards, Richardson, Roach, Shoaff of Allen, Shoaff of Jay, Thatcher, Weikel and White—30.

So it was not deemed expedient.

A message from the Senate, by Mr. Wilson, their Secretary.

Mr. Speaker:

I am directed by the President of the Senate to inform the House of Representatives that the President has signed the following enrolled acts of the House of Representatives, to-wit, enrolled act No. 125 and enrolled act No. 158, and the same are herewith respectfully returned.

A message from the Senate, by Mr. Wilson, their Secretary.

MR. SPEAKER:

I am directed by the President of the Senate to inform the House of Representatives that the Senate has adhered to its disagreement to the amendments of the House to Senate bill No. 15, and has appointed the following Committee on Conference, and respectfully requests the House to appoint a similar committee.

Committee on the part of the Senate: Messrs. Allison and Cobb.

I am further directed to inform the House that the Senate has passed engrossed House bill No. 239, entitled "a bill to authorize manufacturing companies to erect a dam across the St. Joseph river, in Elkhart county," and the same is respectfully returned to the House.

Mr. Buskirk moved to suspend the regular order of business, to allow him to introduce the following resolution:

Mr. Higgins moved to lay the motion on the table.

Which was not agreed to.

The question then being on the motion made by Mr. Buskirk,

It was agreed to.

Mr. Buskirk then offered the following resolution:

Resolved, That it be deemed expedient to suspend the constitutional rule requiring bills to be read on three several days by sections, and that the following numbered Senate bills be read by their titles a first and second times now.

Senate bills Nos. 284, 161, 187, 208, 213, 214, 215, 223, 228, 229, 225, 230, 234, 239, 241, 244, 246, 252, 254, 255, 256, 258, 249, 261, 262, 268, 269, 272, 290, 216, 212, 156, 289, 300, 301, 174, 218, 281, 164, 127, 270, 271, 273, 275, 306, 219, 293, 159, 278, 282, 283, 295, 296, 303, 305, 312, 313, 314, 281, 308, 310, 315, 294.

And that the same be referred to a select committee of four.

Mr. Brown moved to amend by adding, "that the committee consist of two from each political party."

Which was accepted by the mover of the resolution.

The ayes and noes were taken under the Constitution.

Those who voted in the affirmative were,

Messrs. Atkinson, Boyd, Burnes, Buskirk, Caldwell, Chambers, Church, Coffroth, Collins, Cowgill, Crook, Davidson, Ferris, Glazebrook, Goodman, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Hamrick, Harrison, Henricks, Hershey, Higgins, Hoover, Howard, Humphreys, James, Kilgore, Lane, Lockhart, Major, Meredith, Miller, Montgomery, McVey, Newcomb, Olleman, Osborn, Perigo, Prather, Reese, Rhoads, Riford, Sabin, Shoaff of Jay, Shuey, Sim, Stewart, Stivers, Stringer, Stuckey, Sullivan of Scott, Sullivan of P. and V., Thatcher, Trusler, Upson, Veach, Welch, White, Woodruff, Wright, Woods and Zeigler—64.

Those who voted in the negative were,

Messrs. Abbett, Bird, Brown, Burwell, Croan, Dunham, Foulke, Groves, Hargrove, Hunt, Hogate, Lee, Lemon, Lopp, Milroy, O'Brien, Patterson, Pinney, Richards, Richardson, Roach, Weikel and Mr. Speaker—24.

So it was deemed expedient to suspend said constitutional rule, and the foregoing numbered bills were severally read a first and second time by their titles, and referred to a special committee of four.

The Speaker announced the following Committee of Free Conference on the part of the House, on Senate bill No. 15: Messrs. Newcomb, Dunham and Prather.

Mr. Hamrick moved that when the House adjourn, it meet again this evening at 7 o'clock.

Which was agreed to.

Mr. Higgins moved to suspend the order of business, to allow him to introduce the following resolution:

Resolved, That Senate bills Nos. 163, 108, 199, 142, 185, 175, 227, 106, 231, 233, 265, 206, 93, 211, 226; 27, 205, 201, 34, 22, 306 and 217, be now taken up, and that the constitutional rule requiring a reading on three several days be dispensed with, and that the several bills be now read the second time by their titles; amendments to be allowed after the second reading.

Mr. Burwell moved to lay the motion on the table.

Messrs. Burwell and Lemon demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Bird, Bonner, Boyd, Branham, Brown, Burnes, Burwell, Buskirk, Chambers, Collins, Croan, Davidson, Dunham, Foulke, Glazebrook, Gleason, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Hargrove, Hogate, Hoover, Howard, Humphreys, Hunt, Lane, Lasselle, Lee, Lemon, Lockhart, Lopp, Major, Milroy, Montgomery, Newcomb, Osborn, Patterson, Perigo, Pinney, Prather, Richardson, Roach, Shoaff of Allen, Shoaff of Jay, Stewart, Stuckey, Sullivan of Scott, Sullivan of P. and V., Thatcher, Trusler, Veach, Weikel, Welch, Woodruff, Wright, Woods and Mr. Speaker—62.

Those who voted in the negative were,

Messrs. Church, Cox, Davidson, Ferris, Henricks, Hershey, Higgins, Kilgore, Meredith, Miller, McVey, Olleman, Reese, Rhoads, Shuey and Sim—15.

So the motion to lay on the table prevailed.

Mr. Gregory, of Montgomery, moved to reconsider the vote whereby the House adopted the resolution offered by Mr. Buskirk, to suspend the constitutional rule to read sundry Senate bills a first and second time.

Mr. Sim moved the previous question.
Which was seconded by the House.

The question being, shall the main question be now put?
It was so ordered.

The question being on the motion by Mr. Gregory.

Messrs. Olleman and Burwell demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Abbott, Atkinson, Bird, Boyd, Branham Brown, Burnes, Burwell, Chambers, Croan, Dunham, Foulke, Gregory of Montgomery, Griffith, Groves Hargrove, Hogate, Howard, Humphreys, Hunt, Lasselle, Lee, Lemon, Lopp, Milroy, O'Brien, Osborn, Patterson, Pinney, Richardson, Roach, Shoaff of Allen, Stivers, Sullivan of Scott, Thatcher, Veach, Weikel and Mr. Speaker—38.

Those who voted in the negative were,

Messrs. Bonner, Buskirk, Caldwell, Church, Collins, Cowgill, Cox, Davidson, Ferris, Glazebrook, Gleason, Gregg, Gregory of Warren, Hamrick, Henricks, Hershey, Higging Hoover, Kilgore, Lane, Lockhart, Major, Meredith, Miller, Montgomery, Newcomb, Olleman, Perigo, Prather, Reese, Rhoads, Rice, Riford, Sabin, Shoaff of Jay, Shuey, Sim, Stewart, Stringer, Stuckey, Sullivan of P. and V., Trusler, Upson, Welch, White, Wright, Woods and Zeigler,—49.

So the motion to reconsider did not prevail.

On motion, by Mr. Shoaff of Allen, the House adjourned to meet this evening at 7 o'clock.

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7 O'CLOCK P. M.

The House met.

Mr. Lasselle moved to suspend the regular order of business and take up House bill No. 309.

Mr. Newcomb moved the previous question.
Which was seconded by the House.

The question being, shall the main question be now put?
It was so ordered.

The question being on the motion by Mr. Lasselle.
It was not agreed to.

The Speaker announced the following select committee on resolution of Mr. Buskirk.

Messrs. Buskirk, Cowgill, Henricks and Gregg.

SPECIAL ORDER.

The hour having arrived for the consideration of Senate bill No. 103, the same was taken up.

Senate bill No. 103. "An act repealing all general laws now in force for the incorporation of cities, providing for the incorporation of cities, prescribing their powers, rights and duties, and the manner in which they shall exercise the same, and regulating other matters, properly connected therewith, and repealing certain acts therein specified.

Pending the adjournment on Saturday last was the motion made by Mr. Rhoads, to strike out "fifteen" in line 57 of section 44, and insert "five."

It was agreed to.

Mr. Newcomb moved to reconsider the vote whereby the House agreed to the amendments offered by Mr. Higgins, in fixing the term of Councilmen.

Which was agreed to.

Mr. Higgins withdrew said amendment.

Mr. Higgins moved to amend as follows:

Amend section 8, line 40, strike out the word "two," and insert "one."

In line 42, same section, strike out the word "four," and insert "two."

In line 43, same section, strike out the word "biennielly," and insert "annually."

Add, after the word "Treasury," in line 58, same section, the following: "That successors of Councilmen now acting and whose term of office expires in May, 1867, shall be elected for the term of one year and their successors, and the successors of the Councilmen whose term expires in May, 1869, shall be elected biennielly.

Which was agreed to.

Said bill was ordered to a third reading.

So Senate bill No. 103, was read a third time.

Mr. Hamrick moved the previous question.

Which was seconded by the House.

The question being, shall the main question be now put?

It was so ordered.

The question being shall said bill pass?

Those who voted in the affirmative were,

Messrs. Atkinson, Bird, Bonner, Boyd, Branham, Burnes, Burwell, Buskirk, Caldwell, Church, Collins, Cox, Davidson, Foulke, Gleason, Gregg, Gregory of Warren, Griffith, Hamrick, Henricks, Higgins, Hogate, Hoover, Howard, Lane, Lemon, Lockhart, Lopp, Major, Miller, Montgomery, McVey, Newcomb, Olleman, Prather, Reese, Rhoads, Riford, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Stewart, Stivers, Stuckey, Sullivan of P. and V., Upson, Veach, Welch, White, Woodruff, Wright Woods, Zeigler and Mr. Speaker—56.

Those who voted in the negative were,

Messrs. Abbett, Croan, Dunham, Ferris, Glazebrook, Gregory of Montgomery, Groves, Hargrove, Hershey, Humphreys, Hunt, Kilgore, Lee, Milroy, Osborn, Perigo, Pinney, Richardson, Roach, Stringer, Trusler and Weikel—22.

The question being, shall the title, as read, stand as the title of said bill?

It was so ordered.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Dunham moved that the House do now adjourn.

Which was not agreed to.

Senate bill No. 21. A bill to amend sections 9, 10, 18, 23, 24 and 33 of an act entitled "an act to incorporate the town of Vernon, Jennings county, Indiana," approved January 22, 1851.

Was taken up and read a third time.

Mr. Prather, by unanimous consent, offered the following amendment:

Amend by striking out the word "tract," "tract of land," "land," "parcel of land," wherever they occur, and insert the word "lot."

Strike out the word "Recorder," in the 29th section, and insert the word "Marshal."

Which were agreed to.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Atkinson, Bonner, Boyd, Branham, Burton, Burwell, Buskirk, Caldwell, Church, Cowgill, Cox, Davidson, Ferris, Foulke, Gleason, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, Humphreys, Hunt, Kilgore, Lane, Lemon, Lockhart, Lopp, Major, Miller, Milroy, Montgomery, McVey, Newcomb, Olleman, Osborn, Prather, Rhoads, Richardson, Riford, Roach, Sabin, Shoaff of Jay, Shuey, Sim, Stewart, Stringer, Stuckey, Sullivan of P. and V., Thatcher, Trusler, Upson, Welch, Wright, Woods, Zeigler and Mr. Speaker—63.

Those who voted in the negative were,

Mr. Hargrove—1.

No quorum voting, when,

On motion by Mr. Lane,
The House adjourned.

TUESDAY MORNING, 9 o'clock,
December 19, 1865.

The House met pursuant to adjournment.

The Speaker ordered a call of the House, when the following members answered to their names:

Messrs. Abbett, Bonner, Boyd, Branham, Brown, Burnes, Buskirk, Caldwell, Church, Collins, Cook, Cowgill, Cox, Croan, Crook, Davidson, Dunham, Ferris, Foulke, Glazebrook, Gleason, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Humphreys, Hunt, James,

Kilgore, Lane, Lasselle, Lee, Lemon, Lockhart, Lopp, Major, Meredith, Miller, Milroy, Montgomery, McVey, Newcomb, O'Brien, Olleman, Osborn, Patterson, Perigo, Pinney, Prather, Rhoads, Richards, Richardson, Riford, Roach, Sabin, Shoaff of Allen, Shuey, Sim, Stewart, Stivers, Stringer, Stuckey, Sullivan of Scott, Sullivan of P. and V., Thatcher, Trusler, Upson, Veach, Weikel, White, Woodruff, Wright, Woods, Zeigler and Mr. Speaker—81.

A quorum being present, a further call was dispensed with.

Mr. Davidson moved to dispense with the reading of the Journal.
Which was not agreed to.

The Clerk proceeded to read the Journal of yesterday, when,
Mr. Newcomb, by unanimous consent, moved to dispense with the reading of all that part of the Journal which precedes that portion which relates to the suspension of the constitutional rule, under the motion made by Mr. Buskirk.
Which was agreed to.

The Journal was then approved.

A message from the Governor, by Mr. Jacobs, his Private Secretary:

MR. SPEAKER:

I am directed by the Governor to inform your honorable body that he has approved and signed the following enrolled bill of the House, viz.:

No. 125, entitled "an act to amend sections one and two of an act entitled 'an act to provide for the relocation of county seats, and for the erection of public buildings in counties, in case of such relocation,' approved March 2, 1855," and that the same has been deposited in the office of the Secretary of State.

REPORTS OF COMMITTEES.

Mr. Newcomb, from the Committee on the Judiciary, made the following report:

MR. SPEAKER:

The Committee on the Judiciary to whom was referred Senate bill

No. 12, entitled, "an act authorizing creditors in certain cases, to bring action on their claims before they are due, and have attachment against the property of the debtor, to garnishee property, money, credits and effects, and prescribing the manner of proceeding therein," have had the same under consideration, and have directed me to report the same back with the following amendments, and when so amended, they recommend its passage:

Amend by inserting after the word "defendant," in section 3, line 62, the following words: "Against whom the affidavit shows one or more of the foregoing enumerated causes for attachment."

Further amend, by adding to section 4, the following words: "Provided however, that no execution shall issue against any judgment of defendant, against whom there is no affidavit containing one or more of the above enumerated causes for attachment, nor against whom such affidavit is not sustained on the trial, until the debt so sued on, shall become due, according to the terms of the contract.

Which report was laid upon the table.

Mr. Boyd, from the Committee on Claims, made the following report:

Mr. Speaker:

The Committee on Claims, to whom was referred the claim of James Crawford, for books sold to Miles J. Fletcher, Superintendent of Public Instruction, for the use of the Northern Penitentiary, respectfully beg leave to report that they have examined said claim and find that there is due said Crawford thereon the sum of four hundred and seventy-one dollars and twenty-two cents; that said books were purchased by said Fletcher, as Superintendent of Public Instruction, by the advice of the Governor of Indiana, and pursuant to a law thereof, on the 9th day of September, 1861, and upon the faith of the State, that the same should be paid on the 9th of March, 1862; that said books have been furnished said penitentiary, and ought to be paid for by the State; they therefore respectfully recommend that said claim be allowed, and the Committee on Ways and Means instructed to report an appropriation for the payment of the same.

Which report was referred to the Committee on Ways and Means, with instructions to incorporate the claim in the specific appropriation bill.

Mr. Boyd, from the Committee on Claims, made the following report:

MR. SPEAKER:

The Committee on Claims, to whom was referred the claim of John M. Whittemore, for books sold to Miles J. Fletcher, Superintendent of Public Instruction, for the use of the Northern Penitentiary, respectfully beg leave to report that they have examined said claim, and that there is due said Whittemore thereon, the sum of sixty-one dollars and forty-two cents; that said Fletcher, as Superintendent of Public Instruction, by the advice of the Governor of Indiana, and pursuant to a law thereof, on the 9th day of September, 1861, and upon the faith of the State that the same should be paid on the 9th day of March, 1862; that said books have been furnished said Penitentiary and ought to be paid for by the State. They therefore respectfully recommend that said claim be allowed, and the Committee on Ways and Means be instructed to report an appropriation for the payment of the same.

Which was referred to the Committee on Ways and Means, with instructions to incorporate the claim in the specific appropriation bill.

Mr. Boyd, from the Committee on Claims, made the following report:

MR. SPEAKER:

The Committee on Claims, to whom was referred the claim of W. S. Graham for losses sustained in a beef contract with the Insane Asylum ending November 30, 1864, beg leave to report that in their opinion it would not be good policy to go behind these contracts, and make up individual losses, the Committee would therefore recommend that the claim be not allowed.

Which report was laid on the table.

Mr. Veach, from the Committee on Claims, made the following report:

MR. SPEAKER:

The Committee on Claims, to whom was referred the claims of H. M. Achroyd for the sum of one hundred and fifty dollars for services

as archetect in measuring work on Northern State Prison in the year 1863, and also the claim of Peter Wilkens for the sum of $19.60 for making and washing towels for present session. have had the same under consideration, and recommend that they be allowed, and be incorporated in the specific approbation bill for payment.

Which report was referred to the Committee on Ways and Means, with instructions to incorporate the sum claimed in the specific appropriation bill.

Mr. Lockhart, from the Committee on Claims, made the following report:

Mr. Speaker:

The Committee on Claims, to whom was referred the following claims, namely:

The claim of J. K. Gapin, for the additional sum of $368.94 for services as Agent of State from March 24, 1863, to March 4, 1864, including stationery &c.

Also, the claim of Merrill & Co., for stationery purchased by the State Librarian to the amount of $243.30.

Also, the claim of Browning & Sloan for the sum of $2.10.

Also, the Claim of Wm. Scudder, for work done in Representative Hall and certified to by the Doorkeeper, amount $29.00, have had the same under consideration, and would recommend that the claims above named be allowed, and that the Committee on Ways and Means be instructed to place them in the specific appropriation bill.

Which was referred to the Committee on Ways and Means with instructions to incorporate the same in the specific appropriation bill.

Mr. Lockhart, from the Committee on Claims, made the following report:

Mr. Speaker:

The Committee on Claims, to whom was referred the claim of Thomas Y. Farwell, have had the same under consideration, and would respectfully report the same back with instructions that it be sent to the Military Auditing Committee where it properly belongs.

Which report was laid on the table.

Mr. Prather, from the Committee on Federal Relations, made the following report:

Mr. Speaker:

The Commitee on Federal Relations, to whom was referred concurrent resolution of the House on the subject of foreign interference in Mexico and rule of neutral and belligerant rights, have had the same under consideration, and a majority of said Committee have directed me to report the same back with the recommendation that they do pass.

The question being on concurring in the report, and adopting said resolution.

Mr. Dunham moved to strike out of the first line, second page, as follows: "and any means entirely adequate to effect."

Mr. Brown moved to postpone the further consideration of said report and resolution till Thursday morning at 10 o'clock, and make the same a special order for that hour.

Which was agreed to.

A message from the Senate, by Mr. Wilson, their Secretary.

Mr. Speaker:

I am directed by the President of the Senate to inform the House of Representatives that the Senate has passed engrossed Senate bill No. 140, entitled an act to amend section eight of an act entitled "an act dividing the State into counties, defining their boundaries, and defining the jurisdiction of such as border on the Ohio and Wabash rivers," approved June 7, 1852.

In which the concurrence of the House is respectfully requested.

I am further directed to inform the House that the Senate has concurred in the first and third amendments of the engrossed amendments of the House to Senate bill No. 198; and further, that the Senate has refused to concur in the second and fourth of said amendments.

Mr. Buskirk, from the special committee on House bill No. 6, made the following report:

Mr. Speaker:

The select committee to whom was referred House bill No. 6, have considered the same, and a majority thereof have directed me to report the same back, with a recommendation that the same be stricken out from the enacting clause, and that the accompanying amendments be inserted in lieu thereof:

That there shall be established, organized and put into operation, a college, to be denominated "The Indiana State Agricultural College," the leading object of which shall be to teach such branches of learning as are related to Agriculture, the Mechanic Arts, and Military Tactics, and such other scientific and classical studies as the General Assembly or Trustees may from time to time direct, and in such manner as the Legislature may prescribe, in order to promote the liberal and practical education of the industrial classes in the several pursuits and professions of life. And the same is hereby located at Bloomington, Monroe county, Indiana, in connection with the Indiana State University; upon condition that the citizens of said county shall, within three months from the passage of this act, convey to the Trustees of said College, by general warranty deed, a farm of one hundred and sixty acres of land, in the vicinity of the building of said State University; and also donate to said Trustees the Geological and Mineralogical Cabinet of the late Dr. Dale Owen, of New Harmony, Indiana. The compliance upon the part of said citizens of said county of Monroe in so conveying said land, and donating said cabinet, shall be certified to the Governor of the State of Indiana by said Trustees, and the said Governor shall, within ten days after receiving said certificate from said Trustees, issue his proclamation announcing the fact that said citizens of Monroe county have complied with the terms of this act in reference to said grant and donation as aforesaid, and that said location of said Agricultural College is made complete and perfect.

Sec. 2. The Trustees of said College shall consist of the Trustees of the Indiana University, increased to the number of thirteen, so that there shall be one Trustee from each Congressional District within the State, and two resident Trustees within the county of Monroe.

Sec. 3. Said Trustees shall be as follows, to-wit: From First Congressional District, Henry R. Wise; Second District, John B. Winstanley; Third District, Newton F. Mallott; Fourth District, William T. S. Cornett; Fifth District, Lewis Burk; Sixth District, William Hannaman; Seventh District, William K. Edwards; Eighth District, Samuel C. Wilson; Ninth District, Daniel D. Pratt; Tenth District, Pliny Hoagland; Eleventh District, Samuel M. Gahie; and from Monroe county, James D. Maxwell and Nathaniel C. Browning. Said Trustees shall be classified into four classes, as follows: Those from the First, Fourth and Seventh Congressional Districts shall constitute the First Class; those from the Second, Fifth and Eighth Districts, the Second Class; those from the Third, Sixth and Ninth Districts, the Third Class; and those from the Tenth and Eighth Districts, and the Trustees from Monroe county, the Fourth Class. And their terms of service shall expire as follows: First Class within two, Second Class within three, Third Class within four, and Fourth Class within five years from the passage of this act. All vacancies which shall occur in said Board of Trustees, shall be filled by appointment by the State Board of Education, and shall continue as follows: When made to fill vacancy by reason of the expiration of the term of service, shall be four years. In all other cases, shall be for the unexpired term of service of the Trustees whose vacancy is filled; so that one class of said Trustees shall go out annually. Said Board of Trustees shall meet at said town of Bloomington, at each regular commencement of said University, and shall meet there at such other times as they may be notified, whenever the President of said Board, and the resident Trustees of said county of Monroe shall deem a meeting necessary for the benefit of said University or College. Any seven of said Trustees may constitute a quorum for the transaction of business. Said Trustees, before entering upon the discharge of their duties as such, shall severally take an oath or affirmation to support Constitution of the United States and the Constitution of the State of Indiana, and that they will faithfully and honestly discharge the duties of their office.

Sec. 4. All land scrip which has been, or may hereafter be received by the State of Indiana from the General Government by virtue of an act of Congress, approved July 2, 1862, entitled, "an act donating land to the several States and Territories which may provide colleges for the benefit of agriculture and mechanic arts shall be assigned by the Auditor of State for the State of Indiana to

the Trustees of said University to be, in whole or in part sold or located as to said Trustees may seem for the best interests of said college, which decision to sell or locate shall be subject to the approval of the Governor. If sold, the same shall not be for a less sum than fifty cents per acre; and the sale shall be made by the Auditor, Treasurer and Agent of State, and the proceeds thereof converted by them into stocks of the United States, bearing not less than six per cent. interest per anum, and said Auditor, Treasurer and Agent of State, shall immediately after making said sale, make out two statements of the number, kind and amount of said stock, and shall deliver one of them to said Trustees who shall spread the same upon their record, and the other statements together, with said stocks shall be by them delivered to said Auditor of State, who shall make a record of said statement, as also of said bonds or stocks, and shall preserve said bonds, and keep them separate from all other funds, and said Auditor of State shall from time to time as the interest shall become due upon said bond, draw the same, keeping an accurate account thereof, and shall pay said interest into the State Treasury as other moneys are paid in, for the use of said college. Said interest, shall be expended by said Board of Trustees to the support and maintainance of said college as to them may seem best in accordance with the provision of said act of Congress, approved July 2, 1862, as aforesaid. Said Treasurer of State shall pay out said interest as aforesaid upon the proper warrant of said Auditor of State, as the interest upon the fund of said University is now paid out. Said scrip if sold, shall be first offered in the city of Indianapolis, and continued to be offered there for the space of three months, if the interests of said college, in the judgement of said Trustees, will so permit, four weeks notice of such sale shall be given in the Indianapolis Journal and Herald, prior thereto. Said Auditor, Treasurer and Agent of State shall receive no additional compensation to their present salaries for said service, as in this act provided. If said Trustees should conclude to locate said scrip, then the same shall be located upon such public lands of the United States as may be subject to such location as said Trustees may select in persuance of the provisions of said act of Congress, appproved July 2, 1862, as aforesaid. The proceeds of said land scrip shall constitute a perpetual fund, the capital of which shall remain undiminished, and for the loss of which or any part thereof, the State of Indiana shall be responsible.

Sec. 5. If said board of Trustees shall decide to locate said land script, or any part thereof as provided in this act they shall designate one or more of their number not exceeding three, who shall immediately thereafter, select land and locate said script for the best interests of said college, and make out two accurate plats of the same, one of which plats, shall be filed with said Board of Trustees, and the other shall be filed with the said Auditor of State. The Trustees, so appointed to make said selection and location as aforesaid, shall receive for their services five dollars per day together with all traveling expenses. Their accounts for said service shall be made out in wrighting, accurately stating the number of days engaged by each, and the amount of their traveling expenses, which accounts shall be sworn to, and the oath shall state that no more time was expended than was really necessary in the transaction of the business entrusted to them, and that no more money was charged for expenses than really necessary in the transaction of the business entrusted to them, and that no more money was charged for expenses than was actually paid out, which accounts shall be filed with said Board of Trustees, and if approved by them shall be forwarded to the Auditor of State with their recommendation that the same be paid, and said Auditor of State shall draw his warrant upon the Treasurer of State for the amount, and the same shall be paid by said Treasurer of State out of the funds of the State as herein provided. Said Board of Trustees, shall receive for all other services such pay as is now provided by law to the Trustees of said University, the same to be apportioned by them and paid out of the interest arising from said University, and college funds, as to said Board of Trustees may seem just and proper. Said Trustees so selected as aforesaid to select and locate said lands shall before entering upon the discharge of such duty execute seperate bonds in the penal sum of twenty-five thousand dollars each, payable to the Indiana University, conditioned to be void upon the faithful performance of the duties in the trust reposed in them.

Sec. 6. Said Board of Trustees, in selecting their President, Secretary and Treasurer, and in doing all other acts, shall be governed by the laws now in force, governing the Indiana University, except as in this act provided.

Sec. 7. Said Board of Trustees shall, in their corporate capacity, have power to receive and hold for the use and benefit of said college,

all gifts, grants or donations of every species of property whatsoever, whether real, personal or mixed, and to make such disposition of the same, as to said Board may seem for the best interests of said college. Said Board shall set apart such of the grounds and buildings of the State University at Bloomington, Monroe County, Indiana, as may not be required for the use of said University and the Law Department connected therewith, and use the same for said college, and from time to time make such change in the same, as in their judgment, will be for the best interests of said University, Law Department and College, as will best promote the interests of all, and injure none.

Sec. 8. Said Board of Trustees are hereby vested with full power to transact all business, directly or indirectly, which may be required of them, in order to carry this act into full force, and which may be necessary, in order to receive all benefits which can possibly arise by virtue of said act of Congress, appropriated July 2, 1862 as aforesaid.

Sec. 9. Said Board of Trustees shall put into operation said Agricultural College, so that the same shall commence with the next college year of said University, and shall select and appoint such suitable professors and instructors for said college, as in their judgment, shall be necessary to teach in all the various departments, as required by said act of Congress, approved July 2, 1862, as aforesaid; and to pay them such reasonable salaries, as in their judgment, will be sufficient to command the ablest and most experienced teachers and professors in their respective departments.

Sec. 10. Such professors and instructors, together with the President of the Indiana University, who shall also be President of said college, shall be styled the faculty of the Indiana State Agricultural College. The Trustees as aforesaid, shall prescribe the general duties of said President, professors and instructors, and make such other regulations in connection with said University, so that said University and college, may in all things, work harmoniously together, as in their judgment, will be for the best interests of both; and also to make provisions for the conferring of literary and scientific degrees in said college, and the evidencing of the same by proper diplomas.

Sec. 11. Tuition in said college shall be *free*, and said Board of Trustees shall make provision whereby all students attending said

University and College, shall have the mutual benefits of each, and shall see that all arrangements so made by them, are strictly complied with, so that the greatest possible amount of good may be received by each student attending said University and college.

Sec. 12. No religious qualifications shall be required of any Trustee, officer or student, as a condition for admission to any privilege in said college, and no sectarian tenets shall be inculcated by its professors or instructors.

Sec. 13. The Trustees shall prepare and make an annual report of the progress of the college, and of the general administration of the trust, in which, together with the names, residences and classification of the students, they shall record any discoveries improvements, or interesting experiments, made under the auspices of said college, with their costs and results, and such other matters as are deemed of sufficient importance, including State, industrial, and economical statistics, which report shall be made to the Governor of the State, who shall cause a copy to be transmitted to each of the other colleges which may be endowed in a similar manner by said act of Congress, and a copy to the Secretary of the Interior of the United States of America.

Sec. 14. Said Trustees shall make such provisions, from time to time, in reference to the care and management of the farm which the citizens of said county of Monroe may hereafter deed to them, as aforesaid, as to require the same to be preserved for said college in the best possible manner, and to require all experiments to be made by said faculty, instructors and students of said college in reference to agricultural and the mechanic arts, as in their judgement will fully carry out the intention and provisions of said act of Congress of July 2, 1862, as aforesaid, so as to make the same most beneficial and useful to said State.

Sec. 15. The Governor, Lieutenant Governor, Speaker of the House of Representatives, Judges of the Supreme Court, Superintendent of Public Instruction, President and Secretary of the State Board of Agriculture shall be a board of visitors for said college, any three of whom shall form a quorum for business and they shall visit said college at its regular annual commencement. And said Board of visitors shall examine the property of the college, its farm, its stock and implements of agriculture, its course of study, discipline

and training, its finances and the general management of the trust committed to the Trustees. They shall recommend such changes as they may think beneficial, the books and accounts of the Trustees and of the college shall be open for their inspection, and they shall report the result of his examination to the Governor, who shall lay the same before the General Assembly at its next regular session.

Sec. 16. Said Board of Trustees, in their corporate capacity shall have full power to sue and be sued in reference to all matters of every kind and description whatever, affecting said Indiana State Agricultural College which may or can arise under this act or said act of Congress of July 2, 1862, as aforesaid, as they may or can for all matters relating to the Indiana University, by virtue of the act of the General Assembly of the State of Indiana, approved June 17, 1852, entitled, "an act providing for the government of the State University, the management of its funds, and for the disposition of the land thereof." And said Board of Trustees in the management and government of said college shall be controlled in all matters by the provisions of said act of the General Assembly, approved June 17, 1852, as aforesaid, wherever the same is applicable and does not conflict with this act.

Sec. 17. No part of the principal of said fund belonging to said college or the interest arising therefrom, shall be taken, kept, or in any manner appropriated by any officer or person, as fees or charges for the management, disbursement or safe keeping of said fund, or the interest arising thereon, except as in this act provided.

Sec. 18. All laws inconsistent with this act, are hereby repealed.

Sec. 19. It is declared that an emergency exists for the immediate taking effect of this act, and the same shall be in force from and after its passage.

Which report was laid on the table.

Mr. Kilgore, from the Committee on elections, by consent, made the following report:

MR. SPEAKER:

The Committee on Elections to whom was referred Senate bill No. 221, entitled, "an act for the punishment of officers of elections for receiving illegal votes, has had the same under consideration, and has directed me to report the same back and recommend its passage.

Which report was laid on the table.

The Speaker laid before the House the following report from the Joint Committee on Enrolled Bills.

MR. SPEAKER:

The Joint Committee on Enrolled House bills Nos. 29, 239, 52, 75, 22, 21 and 58, have carefully compared the same with the engrossed copies thereof and have directed me to report that they find the same in all respects, correctly enrolled.

Which was laid on the table.

Mr. Lockhart, from the Committee on Employees, made the following report:

MR. SPEAKER:

The Committee on Employees, would recommend that the Principal Clerk shall be allowed as many Enrolling Clerks as the business may require.

Also, that the Committee on Claims be allowed the service of one Clerk for five days at four dollars per day, and that the Committee on Ways and Means be instructed to place the claim of R. Boyd in the specific appropriation bill for the sum of twenty dollars for the payment of the above named services.

Which was agreed to.

Mr. Buskirk offered the following resolution:

Resolved, That the special order be suspended, and that House bill No. 6, be taken up and made the special order for 2½ o'clock to-day.

Mr. Coffroth, moved to amend by substituting House bill No. 207 for House bill No. 6.

Mr. Miller, moved to lay the subject on the table.

Which motion was agreed to.

SPECIAL ORDER.

The hour having arrived for the consideration of

House bill No. 301. A bill to provide for, and regulate the issuing and granting of licenses to locomotive engineers, within the

State of Indiana, and prescribing penalties for the violation of the provisions thereof.

Said bill having previously been read a third time.

Mr. Brown, moved the previous question.

Which was seconded by the House.

The question being, shall the main question be now put?

It was so ordered.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Atkinson, Bird, Brown, Burton, Burwell, Buskirk, Chambers, Coffroth, Collins, Cook, Cowgill, Cox, Crook, Davidson, Dunham, Foulke, Goodman, Gregg, Hogate, Humphreys, Hunt, James, Kilgore, Lane, Lasselle, Lopp, Meredith, O'Brien, Perigo, Pinney, Prather, Reese, Rhoads, Rice, Richards, Richardson, Roach, Sim, Stewart, Stuckey, Thatcher, Veach, Weikel and White—44.

Those who voted in the negative were,

Messrs. Abbett, Bonner, Boyd, Burnes, Ferris, Glazebrook, Gleason, Gregory of Montgomery, Griffith, Groves, Hamrick, Henrick, Hershey, Higgins, Hoover, Lemon, Lockhart, Major, Miller, Montgomery, McVey, Olleman, Osborn, Patterson, Riford, Sabin, Shuey, Stivers, Stringer, Upson, Welch, Wright, Woods, Zeigler and Mr. Speaker—36.

So the bill failed o pass for want of a Constitutional majority.

Mr. Dunham, from the Committee on Free Conference, made the following report:

Mr. Speaker:

The Committee on Conference to whom was referred Senate bill No. 15, "a bill appointing a Commissioner to adjust the claims of citizens of Indiana for damages sustained by reason of the raid of rebel forces under the command of John Morgan in July 1863, and Adam Johnson in the summer of 1864, prescribing some of his powers and duties, and providing for the payment of the claims adjusted by said Commissioners and matters properly connected therewith," have had the same under consideration and have directed me to report the same back with the following recommendations, viz:

1st. That the Senate recede from its refusal to concur in the first engrossed amendment with an amendment so as to provide for the appointment of two Commissioners.

2d. That the Senate recede from its refusal to concur in the engrossed amendments of the House to sections 2, 3, 8, 9, 10 and 11, with an amendment, striking out 1865, where it occurs in sections 2 and 3, and inserting 1866, and strike out of the amendment to the 8th section, the words "or a majority thereof."

3d. That the House recede from its amendment to section five.

4th. That the Senate recede from its refusal to concur in the engrossed amendment of the House, proposing additional section 16, and to the engrossed amendment of the House to the title of the bill.

Mr. Coffroth moved to lay the report on the table.
Which was agreed to.

Mr. Coffroth moved to reconsider the vote just taken, and to lay that motion on the table.

Messrs. Buskirk and Collins demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Atkinson, Burnes, Burwell, Caldwell, Chambers, Church, Coffroth, Collins, Cowgill, Cox, Davidson, Foulke, Glazebrook, Goodman, Gregory of Montgomery, Gregory of Warren, Hamrick, Henricks, Hershey, Higgins, Hoover, Humphreys, James, Lane, Lockhart, Major, Meredith, Milroy, Montgomery, McVey, Olleman, Rhoads, Rice, Richardson, Riford, Sabin, Shoaff of Allen, Shuey, Sim, Stivers, Stringer, Sullivan of P. & V., Trusler, Upson, Weikel, White, Woodruff, Woods and Zeigler—50.

Those who voted in the negative were,

Messrs. Bird, Bonner, Boyd, Brown, Burton, Buskirk, Cook, Croan, Crook, Dunham, Ferris, Gleason, Gregg, Griffith, Groves, Hogate, Howard, Kilgore, Lasselle, Lee, Lemon, Lopp, Miller, Newcomb, O'Brien, Osborn, Patterson, Perigo, Pinney, Prather, Reese, Richards, Roach, Stewart, Stucky, Sullivan of Scott, Thatcher, Veach, Wright and Mr. Speaker—42.

So the motion to lay on the table prevailed.

Mr. Wright moved to take up House bill No. 271, and place the same on file.

Which was agreed to.

ORDERS OF THE DAY.

House bill No. 270. A bill fixing the *per diem* and mileage of members of the General Assembly, Secretaries, Clerks, Doorkeepers and other employees thereof.

Was taken up, with the following engrossed amendments of the Senate, to-wit:

Strike out of section 1, all that part relative to the election of officers, and insert the following: "For the extra session of 1865."

To amend the act by striking out the words "four dollars per day," wherever they occur, and inserting the words "five dollars per day."

The first amendment was read, and agreed to.

The second amendment was read, and agreed to.

The third amendment was read,

And the question being, on agreeing to said third amendment of the Senate,

Messrs. Lockhart and Sabin demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Bonner, Burnes, Buskirk, Caldwell, Coffroth, Cowgill, Cox, Dunham, Gleason, Gregory of Montgomery, Gregory of Warren, Griffith, Henricks, Hogate, Hoover, James, Kilgore, Meredith, Miller, Milroy, Newcomb, O'Brien, Olleman, Patterson, Rhoads, Rice, Shoaff of Allen, Shuey, Sim, Stewart, Stivers, Sullivan of P. & V., Thatcher, Trusler, Veach, Welch, Woodruff and Mr. Speaker—38.

Those who voted in the negative were,

Messrs. Abbett, Atkinson, Bird, Branham, Burton, Burwell, Chambers, Church, Collins, Cook, Croan, Davidson, Ferris, Foulke Glazebrook, Goodman, Groves, Hamrick, Hershey, Higgins, Howard, Humphreys, Lane, Lemon, Lockhart, Lopp, Major, Montgomery, Osborn, Perigo, Prather, Reese, Richards, Richardson, Riford,

Roach, Sabin, Stringer, Stuckey, Sullivan of Scott, Upson, Weikel, Wright, Woods and Zeigler—43.

So the amendment was not agreed to.

The question being on agreeing to the fourth amendment of the Senate,

Messrs. Lockhart and Sabin demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Burnes, Burwell, Caldwell, Church, Coffroth, Cook, Cowgill, Cox, Ferris, Foulke Gleason, Gregory of Montgomery, Gregory of Warren, Griffith, Henricks, Hershey, Hogate, Hoover, Howard, James, Kilgore, Meredith, Miller, Milroy, McVey, Newcomb, Patterson, Perigo, Pinney, Rhoads, Rice, Richardson, Shoaff of Allen, Shuey, Sim, Stewart, Stivers, Stuckey, Sullivan of P. & V., Trusler, Veach, Welch, Woodruff and Mr. Speaker—44.

Those who voted in the negative were,

Messrs. Atkinson, Bird, Boyd, Brown, Burton, Chambers, Collins, Croan, Davidson, Glazebrook, Goodman, Gregg, Groves, Hamrick, Harrison, Higgins, Humphreys, Hunt, Lane, Lemon, Lockhart, Lopp, Major, Osborn, Prather, Richards, Riford, Roach, Sabin, Stringer, Sullivan of Scott, Thatcher, Upson, Weikel, Wright, Woods and Zeigler—37.

So the amendment was agreed to.

The fifth amendment of the Senate was not agreed to.

Ordered, That the Clerk inform the Senate thereof.

House bill No. 62. A bill empowering incorporated cities and incorporated towns to plant and maintain shade trees along the streets, alleys, public squares and commons thereof, and to provide for the protection of the same at the expense of the adjoining property holders.

Engrossed Senate amendments to House bill No. 62. To amend ection 1, by striking out the word "therefore," where it occurs in

the sixth line, and by numbering the emergency clause as section number 2.

The said amendment, of the Senate, was agreed to.

Ordered, That the Clerk inform the Senate thereof.

House bill No. 64. A bill entitled a bill to amend the 406th section of "an act entitled an act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the Courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1852.

And the following amendments, of the Senate, to said Engrossed House bill No. 64:

Strike out all after the word "passage" in the engrossed clause.
Were taken up and the amendment agreed to.

Ordered, That the Clerk inform the Senate thereof.

House bill No. 79, with engrossed amendments, was taken up and, on motion by Mr. Stringer, were returned to to the Senate for correction.

The Speaker announced that he had signed House bills Nos. 29, 239, 52, 75, 58, 22 and 21.

The Speaker announced the following report from the Joint Committee on Enrolled Bills:

Mr. Speaker:

The Joint Committee on Enrolled Bills, respectfully report that, on Monday December 18, 1865, at 3¼ o'clock, P. M., they presented House bills Nos. 125 and 158, to his Excellency, Conrad Baker, acting Governor of the State, for his approval and signature.

House bill No. 119. A bill to establish and create a State normal school, and matters connected therewith,
Was taken up with engrossed amendments of the Senate, as follows:

Amend section 2, by striking out, "the General Assembly shall,

at its present session, appoint," and insert in lieu thereof, " the Governor shall appoint, subject to the approval of the Senate."

And in line 2, of the same section, strike out the word "five" and substitute therefor the word "four."

That section 3 be changed to read as follows, to-wit:

"That two members of this Board shall retire, as may be determined by lot or otherwise, in two years after their appointment, and the remaining two in four years, whereupon the Governor, subject to the approval of the Senate, shall appoint, as aforesaid, their successors, for a period of four years. All vacancies occurring in said Board, from death or resignation, shall be filled by appointment made by the Governor.

That in section 4, line 1, the term "January 1866" be substituted for the word "April."

That section 8 be stricken out.

That in section 10, line 2, the words "and may, for sufficient reasons, dismiss the same" be expunged.

That in section 11, line 3, the words "residence in Indiana" be expunged.

That section 12 be changed to read as follows, to-wit: "Tuition in the Normal School shall be free to all residents of Indiana who fulfill the four conditions set forth in section 11 of this act, and such other conditions as the Board may require."

That in section 14, line 5, be changed to read as follows: "These schools to the Governor on or before the first Monday in January."

That the following section be added:

Sec. 18. Whereas an emergency exists for the immediate taking effect of this act, it is hereby declared that it shall take effect and be in force from and after its passage.

The second, third, fourth and fifth amendments severally read.
Which were agreed to.

The sixth amendment was read.
Which was not agreed to.

The seventh, eighth and ninth amendments were read.
Which were agreed to.

Mr. Newcomb moved to reconsider the vote whereby the House refused to concur in the sixth amendment of the Senate.
Which was agreed to.

The question being on agreeing to said sixth amendment of the Senate,
It was agreed to.

The tenth amendment of the Senate was read.
Which was agreed to.

The first amendment was read.
Which was agreed to.

Ordered, That the Clerk inform the Senate thereof.

Mr. Coffroth offered the following resolution:

Resolved, That the order of business be now suspended, and that the House proceed to the consideration of House bills Nos. 207 and 256, and, also, Senate bills Nos. 233, 175, 320 and 227.

Mr. Olleman moved to lay the resolution on the table.
Which was not agreed to.

The question being on the resolution of Mr. Coffroth,
It was not agreed to.

SENATE BILLS ON FIRST READING.

Senate bill No. 40. A bill to amend section 8 of an act entitled "an act dividing the State into counties, defining their boundaries, and defining the jurisdiction of such as border on the Ohio and Wabash rivers."
Was read a first time, and passed to a second reading.

SENATE BILLS ON SECOND READING.

Senate bill No. 36, was taken up, read a second time, and,

On motion by Mr. Newcomb,
Was laid on the table.

Senate bill No. 163 was taken up, and,

On motion,
Was laid on the table.

Senate bill No. 108. A bill to amend the 6th section of an act entitled "an act regulating divorces, nullification of marriages, and decree and order of court incident thereto," approved May 13, 1852,
Was taken up, and, together with amendments heretofore reported, was read.

The amendments were agreed to and ordered to be engrossed, and the bill then passed to a third reading.

Senate bill No. 199. A bill to amend an act to incorporate the Indianapolis Insurance Company, approved Feb. 8, 1836.
Was taken up.

Mr. Newcomb moved that it be deemed expedient to suspend the constitutional Rule requiring bills to be read on three several days by sections, and read said bill a second time by title, and a third time by sections, now.

The ayes and noes were taken under the Constitution.

Those who voted in the affirmative were,

Messrs. Branham, Brown, Burnes, Buskirk, Caldwell, Church, Coffroth, Cook, Cox, Croan, Crook, Davidson, Ferris, Foulke, Gleason, Gregory of Montgomery, Gregory of Warren, Griffith, Hamrick, Harrison, Higgins, Hogate, Hoover, Howard, Lane, Lockhart, Major, Meredith, Montgomery, McVey, Newcomb, Perigo, Pinney, Rhoads, Rice, Richardson, Riford, Sabin, Shoaff of Allen, Sim, Sullivan of Scott, Thatcher, Trusler, Upson, Veach, Woodruff, Wright, Zeigler and Mr. Speaker—48.

Those who voted in the negative were,

Messrs. Abbett, Atkinson, Bonner, Boyd, Burton, Collins, Cowgill, Glazebrook, Gregg, Groves, Hersey, Humphreys, Hunt, Lee, Lemon, Lopp, Milroy, O'Brien, Olleman, Osborn, Richards, Stuckey, Weikel, Welch, White and Woods—26.

So it was not deemed expedient to suspend the constitutional rule.

A message from the Senate, by Mr. Wilson, their Secretary.

Engrossed amendments of Senate to House engrossed amendments to Senate bill No. 103.

Mr. Speaker:

I am directed by the President of the Senate to inform the House of Representatives that the Senate has concurred in engrossed House amendments to Senate bill No. 103, except the amendments to sections 84 and 94 and 41, in which they have concurred, with the following engrossed Senate amendments thereto.

Amend section forty-one by striking out all, including line 16, to the word "line" in line 25, in section forty-one, and insert the following: The cities and incorporated towns through or into which a railroad may pass, may assess any railroad building, fixtures and machinery, connected therewith, within the city or town limits, on the same basis, and in the same manner that the like property of natural persons is assessed, and collect the taxes thereon as other taxes are collected; but the rolling machinery used in operating the road, shall be deemed to be embodied in the taxes by the mile.

To amend section 84, by striking out the words "three-fourths" in first line of last page of the amendments, and insert in lieu thereof the following: "not less than two-thirds."

To amend section 94, by striking out the "publication clause."

I am further directed by the President of the Senate, to inform the House, that he has signed the following Enrolled Acts of the House, to-wit: Enrolled Acts Nos. 29, 58, 75, 239, 52, 22 and 21.

Mr. Rhoads from the Committee on Enrolled Bills, made the following report:

Mr. Speaker:

The Joint Committee on Enrolled Bills, respectfully report that they have carefully examined and compared with the engrossed copies thereof, Enrolled Joint Resolution No. 11, and Enrolled Acts (House of Representaives) Nos. 33 and 53, and instruct me to report them in all respects correctly enrolled.

The Speaker announced that he had signed House bills Nos. 11, 53, and 33.

Mr. Humphreys moved that the House do now adjourn.
Which was not agreed to.

Senate bill No. 199, was taken up, read a second time, and passed to a third reading.

On motion by Mr. Wright.
The House adjourned.

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2 o'clock p. m.

The House met.

Mr. Trussler moved to suspend the regular order of business and take up House bill No. 256.
Which was agreed to.

House bill No. 256. A bill for the incorporation of Hydraulic Companies, and defining their powers and duties.
Was taken up, and read a third time.

The question being, shall said bill pass?

Those who voted in the affirmative were,

Messrs. Abbett, Bird, Bonner, Boyd, Branham, Brown, Burnes, Burwell, Buskirk, Caldwell, Church, Cook, Cox, Croan, Crook, Davidson, Ferris, Foulke, Glazebrook, Gleason, Goodman, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Humphreys, Hunt, James, Kilgore, Lane, Laselle, Lee, Lemon, Litson, Lockhart, Lopp, Major, Meredith, Miller, Milroy, Montgomery, McVey, Newcomb, Olleman, Osborn, Prather, Reece Rhoads, Richardson, Riford, Roach, Shoaff of Allen, Shuey, Sim, Spencer, Stewart, Stivers, Stuckey, Sullivan of Scott, Sullivan of P. & V., Thatcher,

Trussler, Upson, Veach, Weikel, Welch, White, Woodruff, Wright, Woods, Zeigler and Mr. Speaker—80.

None voting in the negative.

The question being, shall the title as read, stand as the title of said bill.

It was so ordered.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

A message from the Senate, by Mr. Wilson, their Secretary.

MR. SPEAKER:

I am directed by the Senate, to return House bill No. 79, with the former message from the Principal Secretary of the Senate, which message the Senate has declared proper and right in all respects.

A message from the Senate, by Mr. Wilson, their Secretary:

MR. SPEAKER:

I am directed by the President of the Senate, to inform the House, that the President of the Senate has signed the following enrolled acts of the House of Representatives, to-wit:

Enrolled acts 33 and 53, and Enrolled Joint Resolution of the House No. 11.

A message from the Governor, by Charles P. Jacobs, his Private Secretary.

MR. SPEAKER:

I am directed by his Excellency, the Governor, to inform the House of Representatives that he has approved and signed the following enrolled bills thereof, viz:

No. 21. Entitled "an act to amend the 22d section of an act entitled an act defining misdemeanors, and prescribing punishment therefor," approved June 14, 1852.

No. 22. Entitled "an act to legalize the sale of certain school lands in Lake county."

No. 29. Entitled "an act to amend section 15 of an act entitled an act concerning inclosures, trespassing animals, and partition fences," approved June 4, 1852.

No. 52. Entitled "an act to render uniform the assessments of personal property in the several townships of the different counties."

No. 58. Entitled "an act to amend the 5th and 6th sections of an act regulating interest on money, and to repeal an act entitled an act concerning interest on money, approved May 27, 1852; the 51st section of the act defining misdemeanors and prescribing punishment therefor, approved June 14, 1852, and all other laws and parts of laws in conflict with this act," approved March 7, 1861."

No. 75. Entitled "an act to empower railroads to build branches to neighboring coal mines."

No. 239. Entitled "an act to authorize manufacturing companies to erect a dam across the St. Joseph river in Elkhart county," and that the same have been deposited in the office of the Secretary of State.

Mr. Brown moved to suspend the order of business and take up Senate bill No. 21.

Which was agreed to.

Senate bill No. 21. A bill to amend sections nine, ten, eighteen twenty-three, twenty-four and thirty-three of an act entitled "an act to incorporate the town of Vernon, Jennings county, Indiana," approved January 22, 1851.

Was taken up, and having been previously read a third time,

The question being shall said bill pass?

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Bird, Bonner, Branham, Brown Burnes, Burwell, Buskirk, Caldwell, Church, Coffroth, Cook, Cox Croan, Crook, Davidson, Dunham, Ferris, Foulke, Gleason, Goodman, Gregg, Gregory of Warren, Griffith, Groves, Hamrick, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover Howard, Humphreys, Hunt, James, Kilgore, Lemon, Litson, Lockhart, Lopp, Major, Meredith, Miller, Montgomery, Newcomb

O'Brien, Olleman, Osborn, Patterson, Perigo, Prather, Pinney, Reese, Rhoads, Rice, Richards, Riford, Sabin, Shoaff of Allen, Shuey, Sim, Stewart, Stivers, Stringer, Stuckey, Sullivan of Scott, Upson, Veach, Weikel, Welch, White, Woodruff, Wright, Woods, Zeigler and Mr. Speaker—79.

Mr. Glazebrook voting in the negative.

So the bill passed.

The question being shall the title, as read, stand as the title of said bill?

Mr. Prather moved to amend the title as follows:

Amend the title by adding the word "nineteen" after the word "eighteen."

Which was agreed to.

The title, as amended, was agreed to

Ordered, That the Clerk inform the Senate thereof.

Mr. Branham, from the Committee on Ways and Means, made the following report:

Mr. Speaker:

The Committe on Ways and Means, to whom was referred House bill 329, making general appropriations for the year one thousand eight hundred and sixty-six, have had the same under consideration and have directed me to report the same back to the House with the following amendments:

1st. Insert in section sixteen the word "thirty," in the 17th section the word "twenty," and in the 18th section the word "sixty." These amounts being the amounts heretofore appropriated for the benevolent institutions, reports of which have not yet been received by this Committee, for additional appropriations, excepting the Indiana Institution for the Blind, for which an additional appropriation of $7,500 is asked, which, by instruction of the House, has been incorporated in the General Appropriation bill, as an amendment thereto, and when so amended to recommend its passage.

Which report was laid on the table.

House bill No. 329. A bill making general appropriations for the year one thousand eight hundred and sixty-six, repealing certain sections of an act therein named and declaring an emergency.

Was taken up, with amendments reported by the Committee on Ways and Means.

The amendments reported by the Committee were severally read.

Mr. Meredith moved to amend, by inserting $15,000 for Blind Asylum.

Which was agreed to.

The amendments, as reported by the Committee, were then agreed to.

Mr. Montgomery moved to fill the blank in "Public Printer," by inserting "$30,00."

The question being on the motion made by Mr. Montgomery,

Messrs. Branham and Cowgill demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Bonner, Branham, Caldwell, Church, Cook, Griffith, Groves, Hamrick, Higgins, Howard, Kilgore, Lane, Litson, Lockhart, Meredith, Montgomery, McVey, Newcomb, Rice, Riford, Sabin, Shuey, Siwi, Stivers, Trusler, Woodruff, Woods and Zeigler—29.

Those who voted in the negative were,

Messrs. Abbett, Atkinson, Bird, Boyd, Brown, Burnes, Burwell, Chambers, Coffroth, Collins, Cowgill, Cox, Croan, Crook, Davidson, Dunham, Ferris, Foulke, Glazebrook, Gleason, Goodman, Gregory of Montgomery, Harrison, Hershey, Hogate, Hoover, Hunt, James, Lee, Lemon, Lopp, Milroy, O'Brien, Olleman, Osborn, Patterson, Perigo, Pinney, Prather, Reese, Rhoads, Richards, Richardson, Roach, Shoaff of Allen, Stewart, Stringer, Stuckey, Sullivan of Scott, Thatcher, Upson, Veach, Weikel, White, Wright and Mr. Speaker —58.

So the amendment did not prevail.

Mr. Branham moved to fill said blank with "$25,00."

Which was agreed to.

And said House bill No. 329, was read a third time.

The question being, shall said bill pass?

Those who voted in the affirmative were,

Messrs. Atkinson, Bird Bonner, Boyd, Brown, Burnes, Caldwell, Chambers, Church, Coffroth, Cook, Cowgill, Cox, Croan, Crook, Davidson, Ferris, Foulke, Gleason, Goodman, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, James, Kilgore, Lane, Litson, Lockhart, Major, Meredith, Miller, Montgomery, McVey, Newcomb, Olleman, Osborn, Pinney, Prather, Reese, Rhoads, Rice, Richardson, Riford, Sabin, Shuey, Sim, Stewart, Stenger, Stivers, Stringer, Stuckey, Sullivan of P. and V., Thatcher, Upson, Veach, Welch, Wright, Woods, Zeigler and Mr. Speaker—70.

Those who voted in the negative were,

Messrs. Abbett, Burwell,Collins, Dunham, Glazebrook, Humphreys, Hunt, Lee, Lemon, Lopp, Milroy, O'Brien, Patterson, Perigo, Richards, Shoaff of Allen, Sullivan of Scott, Weikel and White—21

The question being, shall the title, as read, stand as the title of said bill?

It was so ordered.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

A message from the Governor, by Mr. Jacobs, his Private Secretary.

Mr. Speaker:

I am directed by His Excellency, the Governor, to inform the House of Representatives that he has approved and signed the following enrolled bills thereof:

No. 33, entitled an act to amend the 8th section of an act entitled "an act to regulate and license the sale of spiritous, vinous, malt, and other intoxicating liquors, to prohibit the adulteration of liquors, to repeal all former laws contravening the provisions of this act, and prescribing penalties for violation thereof." approved March 5, 1859.

No. 53, entitled an act to amend section 14 of an act entitled, "an act to provide for the more uniform mode of doing township business, prescribing the duties of certain officers in connection therewith, and to repeal all laws in conflict with this act," approved February 18, 1859.

Also, Joint Resolution No. 11, entitled "a Joint Resolution for the relief of George W. Archer, refunding to him the purchase-money, and interest thereon, paid for certain real estate sold as swamp land by the State, when the title was in one Michael John."

And that the same have been deposited in the office of the Secretary of State.

Mr. Rhoads, from the Committee on Enrolled Bills, made the following report:

MR. SPEAKER:

The Joint Committee on Enrolled Bills, to whom was referred enrolled House bill No. 67, have compared the same with the engrossed copy thereof, and have directed me to report that they find it correctly enrolled.

Mr. Buskirk moved to suspend the order of business to make a report from a special committee.

Which was not agreed to.

Mr. Higgins moved to suspend the order of business to allow him to make a report from the Committee on Ways and Means.

Which was agreed to.

Mr. Higgins, from the Committee on Ways and Means, made the following report:

MR SPEAKER:

The Committee on Ways and Means, to whom was referred House bill No. 328, making specific appropriations for the year one thousand eight hundred and sixty-six, have had the same under consideration, and have directed me to report the bill back to the House with the following amendments:

First. Insert in section 45 the words "three thousand two hundred and eighty-five dollars and sixty cents.

Sec. 2. That Toucey & Byram be allowed the sum of six hundred and fifty six dollars and thirty-seven cents, for sundry articles for use of State Library in 1863.

Sec. 3. That Toucey, Byram & Co., be allowed the sum of two thousand one hundred and eighty-nine dollars and forty-two cents, for furnishing the State House in 1864 and 1865.

Sec. 4. That Thomas Gifford be allowed the sum of sixty-three dollars and ninety cents for services on Committee to investigate the financial condition of the State in 1863.

Sec. 5. That J. W. Copeland be allowed the sum of nine dollars for ribbon, per order of State Librarian, special session 1865.

Sec. 6. That H. C. Chandler be allowed the sum of two hundred and twenty-nine dollars and ninety-five cents, for stationery for use of the General Assembly, special session 1865.

Sec. 7. That Peter Wilkins be allowed the sum of three dollars for making coal tub for State House.

Sec. 8. That Hall & Hutchinson be allowed the sum of seventy dollars for blank books, printing &c., for House and Senate session of 1865.

It is also further recommended that the words "seventy-five," in section 77, be stricken out, and "one hundred" inserted instead.

That Hollowny, Douglass & Co., be allowed the sum of $771 75 for Daily Journal; and the further sum of $62 50 for printing enrolled bills.

That Hall & Hutchinson be allowed the sum of $771 75 for Daily Herald.

That the Daily Telegraph Co. be allowed the sum of $514 50 for Daily Telegraph, special session, 1865.

That O. Cristman be allowed the sum of $60 for Ice for present session.

That H. C. Chandler be allowed the sum of 66 40 for stationary for State Librarian, special session, 1865.

That L. Sailors be allowed the sum of $16 75 for sundry articles for use of present session.

That Cox & Brandt be allowed the sum of $9 for ink in 1864.

That Dorsey & Layman be allowed the sum of $1 for hatchet per doorkeeper, special session, 1865.

That Merrill & Co. be allowed the sum of $243 30 for stationery by State Librarian, present session.

That Browning & Sloan be allowed $20 for lamps and chimneys by doorkeeper, present session.

That William Scudder be allowed $29 for work done in House per doorkeeper.

That H. M. Achroyd be allowed $150 for services at Northern Prison, 1863.

That Peter Wilkins be allowed $19 60 for making and washing towels, present session.

That R. Boyd be allowed $20 for clerk hire, Committee on Claims, present session.

That J. M. Whittmore be allowed $61 42 for books per M. J. Fletcher, for use of Northern Prison.

That Brown & Whitehouse, for work done, and material furnished for stationery room in 1865, be allowed the sum of $60 50; and when so amended, to recommend its passage.

Mr. Newcomb offered the following amendment:

To pay the balance of the assessment against this State, on account of the National Cemetry at Gettysburg, Pennsylvania—$3,469 83.

Which was agreed to.

Mr. Woods offered the following amendment:

"That A. N. Hart be allowed the sum of fifty dollars, to be paid out of the Swamp Land Fund, to reimburse him that amount paid for forty acres of swamp land entered by him which had been previously sold by the General Government, to be paid on his surrendering to the Auditor, of State the original deed for the same."

Which was agreed to.

Mr. Rhoads offered the following amendment:

"Amend by allowing three hundred and fifty dollars to the Superintendent of Public Instruction."

Which, on motion by Mr. Cox, was laid on the table.

The amendments, as reported by said Committee on Ways and Means were then agreed to, and said

House bill No. 328, an act making specific appropriations for the year 1866.

Was read a third time, and on motion was referred to the Committee on Ways and Means.

Mr. Harrison moved to suspend the order of business and take up House bill No. 255.

Which was agreed to, and passed over informally.

Mr. Gregory, of Warren, moved to suspend the order of business and take up Senate bill No. 198.

Which was agreed to.

Senate bill No. 198. A bill repealing an act entitled, "an act for the relief of the families of soldiers, seamen and mariners, and sick and wounded Indiana soldiers in hospitals, in the State and United States service, and of those who have died, or been disabled in such service; and prescribing the duties of certain officers therein named," approved March 4, 1865, and providing for the collection and disposition of the taxes levied in pursuance thereof for the year 1865; and providing when the same shall take effect.

Was taken up, with a message from the Senate.

Message from the Senate, by Mr. Wilson, their Secretary.

I am further directed to inform the House that the Senate has concurred in the first and third amendments of the engrossed amendments of the House to Senate bill No. 198; and, further, that the Senate has refused to concur in the second and fourth of said amendments.

Section —. The Treasurer of the several counties shall pay over to the State Treasurer seven per cent. of all the taxes levied and collected, or to be levied and collected, under the provisions of said act, for the year 1865, out of which seven per cent. shall be paid;

any indebtedness incurred or created by the Governor in anticipation of the $100,000 appropriation by the second section of the above mentioned act, for the year 1865, for the relief of sick and wounded Indiana soldiers in hospitals, and the residue of the said seven per cent., may be applied, under the direction of the Governor, to the relief of sick, destitute, or wounded Indiana soldiers who have been honorably discharged and may need such assistance, and the amount and manner of such expenditure shall be reported by the Governor to the next General Assembly: *And provided, further*, That no part of the fund so retained in the County Treasury, shall be applied in payment of bonds or orders named or described in the act of the General Assembly, approved March 3, 1865, entitled "an act to legalize the issuing of bonds, and making appropriations and levy and assessment for taxes in certain cases, and making it unlawful, after the quota of the State or the present call is filled, for Boards of County Commissioners or the municipal authorities of incorporated towns and cities to pay any money out of their Treasuries, or the issue of any bonds, orders, or evidences of indebtedness, to give bounties to volunteers, drafted men or substitutes, except as provided in said act."

Mr. Newcomb moved to insist on the second amendment of the House.

Which was agreed to.

Mr. Griffith moved that the House recede from the fourth House amendment.

Which was agreed to.

Ordered, That the Clerk inform the Senate thereof.

Mr. Hamrick moved to suspend the order of business and take up Senate bill No. 103.

Which was agreed to.

Senate bill No. 103. A bill repealing all general Laws now in force for the incorporation of cities, providing for the incorporation of cities, prescribing their powers, rights and duties, and the manner in which they shall exercise the same, and regulating other matters properly connected therewith, and repealing certain acts therein specified, with the following engrossed amendments of the Senate to it:

Amend section 41 by striking out all, including line 16, to the

word "ten," in line 25, in section 41, and insert the following: "The cities and incorporated towns through or into which a railroad may pass, may assess any railroad building, fixtures, and machinery connected therewith, within the city or town limits, on the same basis and in the same manner that the like property of natural persons is assessed, and collect the taxes thereon as other taxes are collected; but the rolling machinery used in operating the road shall be deemed to be embodied in the taxes by the mile.

Amend section 84 by striking out the words "three-fourths," in first line of last page of the amendments, and insert in lieu thereof the following "not less than two-thirds."

Amend section 94 by striking out the "publication clause."

Was, with engrossed amendments of the Senate, taken up.

Mr. Buskirk moved to concur in said amendments.

Which was agreed to.

Mr. Buskirk moved to suspend the order of business and take up House bill No. 79.

Which was agreed to.

House bill No. 79. A bill to amend an act entitled "an act providing for the election or appointment of Supervisors of Highways, and prescribing certain of their duties and tnose of county and township officers in relation thereto," approved March 5, 1859.

Was taken up, with the following Senate amendments:

Engrossed Senate amendments to House bill No. 79.

Amend by inserting "able-bodied" before the word "male," in the second line of section 6, of amended bill, and strike out the word "pensioners" where it occurs in the same line.

The amendments were read and agreed to.

Mr. Coffroth moved to suspend the order of business and make the College bill the special order for to-night.

Which was not agreee to.

Mr. Woods, moved that when the House adjourn, it meet at 7 o'clock this evening.

Which was agreed to.

SENATE BILLS ON SECOND READING.

Senate bill No. 142, was taken up, read a second time, and passed to a third reading.

Senate bill No. 185. A bill for the incorporation of Hotel Companies,

Was taken up, and,

On motion by Mr. Milroy,

Was indefinately postponed.

Senate bill No. 175, was taken up, read a second time, and passed to a third reading.

Senate bill No. 227, was taken up, read a second time, and passed to a third reading.

Mr. Branham, from the Committee on Ways and Means, reported back House bill No. 328.

House bill No. 328. A bill for making specific appropriation for the year 1865, having been previously read a third time.

The question being, shall said bill pass?

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Bonner, Boyd, Branham, Brown, Burnes, Burton, Buskirk, Caldwell, Church, Coffroth, Cook, Cowgill, Cox, Croan, Crook, Davidson, Dunham, Ferris, Foulke, Glazebrook, Gleason, Gregg, Gregory of Warren, Griffith, Groves, Hamrick, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, James, Lane, Lemon, Litson, Major, Milroy, Montgomery, McVey, Newcomb, Olleman, Osborn, Perigo, Prather, Reece, Rhoads, Rice, Richardson, Rifford, Sabin, Shoaff of Allen, Shuey, Sim, Stivers, Stuckey, Sullivan of Scott, Sullivan of P. & V., Thatcher, Upson Weikell, Welch, White, Woodruff, Wright Woods and Zeigler—72.

Those who voted in the negative were,

Messrs. Collins, Humphreys and Hunt—3.

The question being, shall the title as read, stand as the the title of said bill?

Mr. Branham, moved to amend said title, by adding in proper place, 1859, 1861 and 1863.

Which was agreed to.

The question being, shall the title as amended, stand as the title of said bill?

It was so ordered.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

House bill No. 207. A bill regulating Foreign Insurance Companies doing business in the State, prescribing the duties of the Agents thereof, and of the Auditor of State in connection therewith, and providing penalties for the violation of the provisions of this act.

Was taken up, and read a third time.

The question being shall said bill pass?

Those who voted in the affirmative were,

Messrs. Atkinson, Bird, Bonner, Boyd, Burton, Burwell, Buskirk, Church, Coffroth, Cook, Cowgill, Cox, Croan, Ferris, Foulke, Glazebrook, Gleason, Gregg, Gregory of Warren, Griffith, Hamrick, Harrison, Henricks, Hershey, Hogate, Hoover, Howard, Humphreys, Hunt, Lane, Lasselle, Lockhart, Lopp, Major, Milroy, Montgomery, McVay, Osborn, Perigo, Prather, Reese, Rhoads, Rice, Richards, Riford, Roach, Sabin, Shoaff of Allen, Shuey, Sim, Stewart, Stringer, Stuckey, Sullivan of Scott, Thatcher, Trusler, White, Woods, Zeigler and Mr. Speaker—60.

Those who voted in the negative were,

Messrs. Branham, Burnes, Collins, Davidson, Groves, Lemon, Litson, Olleman, Richardson, Sullivan of P. & V., Upson and Welsh —12.

The question being, shall the title, as read, stand as the title of said bill?

It was so ordered.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

Engrossed House bill, No. 255. A bill supplemental to an

entitled an act for the incorporation of Insurance Companies, defining their powers and prescribing their duties, approved March the 17th, 1852.

Was taken up, having previously been read a third time.

The question being, shall said bill pass?

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Bird, Brown, Burton, Burwell, Buskirk, Caldwell, Church, Coffroth, Cook, Davidson, Dunham, Ferris, Gleason, Gregg, Gregory of Warren, Hamrick, Harrison, Hershey, Higgins, Hogate, Hoover, Howard, Humphreys, Hunt, James, Lane, Lasselle, Lee, Lemon, Litson, Lockhart, Lopp, Major, Milroy, Newcomb, Osborn, Patterson, Perigo, Prather, Reese, Rhoads, Rice, Richardson, Roach, Shoaff of Allen, Sim, Stivers, Stringer, Stuckey, Sullivan of Scott, Thatcher, Trussler, White, Woodruff, Wright and Zeigler—58.

Those who voted in the negative were,

Messrs. Bonner, Boyd, Branham, Burwell, Collins, Cowgill, Cox, Croan, Crook, Foulke, Glazebrook, Henricks, James, Montgomery, Olleman, Riford, Sabin, Shuey, Welch and Woods—18.

The question being, shall the title as read, stand as the title of said bill?.

It was so ordered.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Burwell moved that the House do now adjourn.

Which was not agreed to.

Mr. Coffroth, moved to suspend the order of business and take up House bills on 3d reading.

Which was agreed to.

HOUSE BILLS ON THIRD READING.

House bill No. 248 was passed over until to-morrow.

House bill No. 286. A bill to authorize the County Commissi on

ers to grant the right to swing gates on county, township and private roads, and prescribing penalties.

Was taken up, and read a third time.

Mr. Milroy moved that the House do now adjourn.

Which was not agreed to.

The question being, shall said House bill, No. 286, pass?

Those who voted in the affirmative were,

Messrs. Atkinson, Bird, Bonner, Branham, Burnes, Buskirk, Church, Coffroth, Cowgill, Davidson, Ferris, Foulke, Gleason, Gregory of Warren, Groves, Hamrick, Harrison, Henricks, Hogate, Hoover, Howard, Lane, Lasselle, Litson, Lockhart, Major, Montgomery, McVey, Newcomb, Olleman, Osborn, Perigo, Prather, Reese, Richardson, Roach, Shoaff of Allen, Shuey, Stewart, Stringer, Sullivan of P. & V., Thatcher, Trusler, Upson, Welch, White, Wright, Zeigler and Mr. Speaker—49.

Those who voted in the negative were,

Messrs. Burton, Glazebrook, Griffith, Hershey, Humphreys, Milroy, Riford, Sabin, Sim, Stuckey and Woods—11.

No quorum voting.

On motion, by Mr. Milroy,

The House adjourned, to meet this evening at 7 o'clock.

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7 O'CLOCK, P. M.

House met.

SENATE BILLS ON SECOND READING.

Senate bill No. 231 was taken up, read a second time, and passed to a third reading.

Senate bill No. 233 was taken up, read a second time, and passed to a third reading.

Senate bill No. 265 was taken up, read a second time, and passed to a third reading.

Senate bill No. 206 was taken up, read a second time, and passed to a third reading.

Mr. Branham, by consent, offered the following resolution:

Resolved, That the Select Committee, to whom was referred, among others, Senate bill No. 314, be allowed to report the same back at this time for the action of the House.

Which was agreed to.

Mr. Henricks reported Senate bill No. 314, and

On motion, by Mr. Branham,

The bill was ordered to a third reading.

Senate bill No. 314. A bill to authorize the Board of Sinking Fund Commissioners to invest any moneys belonging to said Fund in the Indiana State bonds or stocks, or in United States stocks, and when invested in Indiana State bonds or stocks to provide for the cancellation of such bonds or stocks and for the issuing of new non-negotiable bonds for the benefit of the school fund.

Was taken up, and read a third time.

On motion, by Mr. Henricks,

A call of the House was ordered, when the following members answered to their names:

Messrs. Abbett, Atkinson, Bird, Bonner, Branham, Brown, Burnes, Buskirk, Caldwell, Chambers, Coffroth, Collins, Cook, Cowgill, Cox, Crook, Davidson, Dunham, Ferris, Foulke, Glazebrook, Gleason, Gregg, Gregory of Warren, Groves, Hamrick, Harrison, Henricks, Hershey, Higgins, Hoover, Howard Humphreys, Hunt, Lane, Lee, Lemon, Lockhart, Lopp, Major, Meredith, Miller, Milroy, Montgomery, McVey, Newcomb Olleman, Osborn, Patterson, Pinney, Reese, Richardson, Riford, Roach, Sabin, Shoaff of Allen, Shucy, Sim, Stewart, Stivers, Stringer, Stuckey, Sullivan of Scott, Sullivan of P. & V., Thatcher, Upson, Weikel, Welch, White, Wright, Woods, Zeigler and Mr. Speaker—73.

Mr. Brown moved to dispense with further proceedings under the call.

Which was agreed to.

The question being shall said bill pass?

Mr. Brown moved to recommit with instructions to amend the bill by providing that the non-assignable bonds be made for the actual amount paid for the surrendered bonds.

Mr. Miller moved the previous question.
Which was seconded by the House.

The question being, shall the main question be now put?
It was so ordered.

The question being on the motion offered by Mr. Brown.

Messrs. Brown and Buskirk demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Abbett, Bird, Boyd, Brown, Buskirk, Coffroth, Dunham, Glazebrook, Gregg, Harrison, Howard, Humphreys, Hunt, Lasselle, Lee, Lemon, Lopp, Milroy, Osborn, Patterson, Pinney, Reese, Richardson, Roach, Shoaff of Allen, Stuckey, Sullivan of Scott, Thatcher, Upson, Weikel and White—31.

Those who voted in the negative were,

Messrs. Atkinson, Bonner, Branham, Caldwell, Church, Collins, Cook, Cowgill, Cox, Crook, Davidson, Ferris, Foulke, Gleason, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Henricks, Hershey, Higgins, Hoover, Lane, Litson, Lockhart, Major, Meredith, Miller, Montgomery, Newcomb, Olleman, Prather Rhoads, Rice, Riford, Sabin, Shuey, Sim, Stewart, Stringer, Sullivan of P. and V., Trusler, Welch, Woodruff, Wright, Woods, Zeigler and Mr. Speaker—48.

So the motion to recommit did not prevail.

Mr. Miller moved the previous question.
Which was seconded by the House.

The question being, shall the main question be now put.

Messrs. Brown and Thatcher demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Atkinson, Bonner, Boyd, Branham, Caldwell, Church, Cook, Cowgill, Cox, Crook, Davidson, Ferris, Foulke, Gleason,

Gregory of Montgomery, Gregory of Warren, Groves, Hamrick Henricks, Hershey, Higgins, Hoover, Lane, Litson, Lockhart, Major Meredith, Miller, Montgomery, McVey, Newcomb, Olleman, Prather Reese, Rhoads, Rice, Riford, Sabin, Shuey, Sim, Stewart, Stringer Sullivan of P. and V., Trusler, Upson Veach, Welch, Woodruff Wright, Woods, Zeigler and Mr. Speaker—52.

Those who voted in the negative were,

Messrs. Abbett, Bird, Brown, Buskirk Coffroth, Glazebrook, Gregg Griffith, Harrison, Howard, Humphreys,Hunt, Lasselle, Lopp, Milroy Osborn, Patterson, Pinney, Richardson, Roach, Shoaff of Allen Stuckey, Sullivan of Scott, Thatcher, Weikel and White—26.

So the main question was ordered.

The question being shall said Senate bill No. 314 pass ?

Those who voted in the affirmative were,

Messrs. Atkinson, Bonner, Boyd, Branham, Burnes, Caldwell Church, Cook, Cowgill, Cox, Crook, Davidson, Ferris, Foulke, Gleason, Gregory of Montgomery, Gregory of Warren, Griffith, Groves Hamrick, Henricks, Hershey, Higgins, Hoover, Lane, Litson, Lockhart, Major, Meredith, Miller, Montgomery, McVey, Newcomb Olleman, Prather, Reese, Rhoads, Rice, Riford, Sabin, Shuey, Sim Stewart, Stringer, Sullivan of P. and V., Trusler, Upson, Welch Woodruff, Wright, Woods, Zeigler and Mr. Speaker—53.

Those who voted in the negative were,

Messrs. Abbett, Bird, Brown, Buskirk, Coffroth, Dunham, Glazebrook, Gregg, Harrison, Hunt, Humphreys, Lasselle, Lemon, Lopp Milroy, Osborn, Patterson, Pinney, Richardson, Roach, Shoaff o Allen, Stuckey, Sullivan of Scott, Thatcher, Weikel and White—26

So the bill passed.

The question being, shall the title, as read, stand as the title o said bill?

Mr. Coffroth moved to strike out "for the benefit of school fund."

Mr. Dunham moved to amend by adding, "for the benefit of money shavers."

Which amendment was accepted by the mover.

Mr. Henricks moved to lay the motion by Mr. Coffroth on the table.

Messrs. Coffroth and Dunham demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Bonner, Boyd, Branham, Burnes, Caldwell, Church, Cook, Cowgill, Cox, Crook, Davidson, Ferris, Foulke, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Henricks, Hershey, Higgins, Hoover, Lane, Lasselle, Litson, Lockhart, Major, Meredith, Miller, Montgomery, McVey, Newcomb, Olleman, Prather, Reese, Rhoads, Rice, Riford, Sabin, Shuey, Sim, Stewart, Stivers, Stringer, Sullivan of Scott, Sullivan of P. and V., Trusler, Upson, Welch, Woodruff, Wright, Woods, Zeigler and Mr. Speaker—56.

Those who voted in the negative were,

Messrs. Bird, Brown, Burwell, Coffroth, Dunham, Glazebrook, Harrison, Humphreys, Hunt, Lemon, Lopp, Milroy, Osborn, Pinney, Richardson, Roach, Shoaff of Allen, Stuckey, Thatcher and Weikel —20.

So the amendment was laid on the table.

Mr. Miller demanded the previous question.

Which was seconded by the House.

The question being, shall the main question be now put?

It was so ordered.

The question being, shall the title as reported, stand as the title of said bill?

Mr. Milroy moved that the House do now adjourn.

Which was not agreed to.

The question being on agreeing to the title, as reported, of said bill,

It was agreed to.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

A message from the Senate by Mr. Wilson, their Secretary.

MR. SPEAKER:

I am directed by the President of the Senate to inform the House of Representatives that the Senate has passed

Engrossed House bill No. 82. Entitled a bill concerning the creation of corporations for the purpose of maintaining high schools within the State, and giving the requisite powers to such corporations, and the same is herewith respectfully returned.

I am also directed to inform the House that the Senate has passed

Engrossed Senate bill No. 309. Entitled "an act to amend the eighth and forty-fifth sections of an act entitled an act to reduce the laws, incorporating the city of Madison, and the several acts amendatory thereto into one act, and to amend the same," approved February 14, 1848, in which the concurrence of the House is requested.

I am further directed to inform the House of Representatives that the Senate has concurred in the amendments of the House to Senate bill No. 21.

Mr. Hamrick moved to suspend the order of business and take up House bill No. 312.

Which was agreed to.

House bill No. 312. A bill to amend section one of an act entitled "an act to amend section nine of an act entitled an act to amend section second of an act entitled an act concerning the organization of voluntary associations and repealing former laws in reference thereto," approved February 12, 1855, approved March 9, 1861, approved February 10, 1863.

Was taken up, and read a second time.

Mr. Brown offered the following amendment added to the last section:

Provided, That the provisions of this act shall not go into operation so far as building a Soldiers' Home is concerned, unless Chaplain Lozier has charge of all the donations contributed, with full power to dispose of said contributions in any manner he may deem proper.

Which was not agreed to.

REGULAR ORDER.

Senate bill No. 34 was taken up, and,

On motion,

Was laid on the table.

Mr. Buskirk moved to suspend the order of business and take up House bill No. 6.

No quorum voting.

Mr. Brown moved that the House do now adjourn.

Which was not agreed to.

The Speaker ordered a call of the House, when the following members answered to their names:

Messrs. Abbett, Atkinson, Bonner, Boyd, Branham, Brown, Burnes, Buskirk, Caldwell, Church, Coffroth, Cook, Cowgill, Cox, Crook, Davidson, Dunham, Ferris, Foulke, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Harrison, Henricks, Hershey, Higgins, Hoover, Howard, Hunt, Lane, Lasselle, Lemon, Litson, Lockhart, Lopp, Major, Meredith, Miller, Montgomery, McVey, Newcomb, Olleman, Osborn, Pinney, Prather, Reese, Rhoads, Rice, Richardson, Riford, Sabin, Shuey, Sim, Stewart, Stivers, Stringer, Stuckey, Sullivan of Scott, Thatcher, Trusler, Upson, Welch, Wright, Woods, Zeigler and Mr. Speaker—68.

There being a quorum present a further call of the House was dispensed with.

The question being on the motion of Mr. Buskirk,

No quorum voting.

On motion, by Mr. Cowgill,

The House adjourned.

WEDNESDAY MORNING, 9 o'clock, }
December 20, 1865. }

The House met pursuant to adjournment.

The Speaker ordered a call of the House, when the following members answered to their names:

Messrs. Abbett, Atkinson, Bonner, Boyd, Branham, Brown, Burton, Burwell, Buskirk, Church, Coffroth, Cook, Cowgill, Cox, Croan, Crook, Davidson, Dunham, Ferris, Glazebrook, Gleason, Goodman, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Hunt, James, Lane, Lasselle, Lemon, Lockhart, Lopp, Major, Miller, Milroy, Montgomery, McVey, Newcomb, O'Brien, Olleman, Osborn, Patterson, Perigo, Pinney, Prather, Reese, Rhoads, Richards, Richardson, Rifford, Roach, Sabin, Shoaff of Allen, Shuey, Sim, Spencer, Stewart, Stivers, Stringer, Stuckey, Sullivan of Scott, Thatcher, Trusler, Upson, Veach, Weikel, Woodruff, Wright, Woods, Zeigler and Mr. Speaker—81.

A quorum being present.

A message from the Senate, by Mr. Wilson, their Secretary.

Mr. Speaker:

I am directed by the President of the Senate to inform the House of Representatives that the Senate has passed the following engrossed bills of the House, to-wit:

Engrossed House bill No. 41, entitled "a bill to legalize sales by guardians under orders defective in not prescribing notice."

Also, engrossed House bill No. 84, entitled "an act to legalize the action of the Board of County Commissioners of Vermillion county, and of the District and State Boards of Equalization in adopting the appraisement of real estate of 1859, as the basis for the assessment of taxes for the year 1864, and each year thereafter till a new appraisement shall be made."

Also, engrossed House bill No. 86, entitled "an act giving the con-

sent of the State of Indiana to, and authorizing the digging or construction of a ditch or canal from the Little Calumet river to the Grand Calumet river, both in Lake county in this State, and requiring the Attorney General to defend such suits or actions at law as may be brought against the parties who may be prosecuting said works."

Also, engrossed House bill No. 88, entitled "a bill authorizing certain corporations therein named, to change their corporate names."

Also, engrossed House bill No. 117, entitled "a bill to amend sections "thirty-nine," "forty-two," "fourty-five" and "fifty four," of an act entitled "an act for the incorporation of Insurance Companies. defining their powers and prescribing their duties," approved June 17, 1852.

Also, engrossed House bill No. 121, entitled "a bill to cure defective acknowledgments of deeds in certain cases."

Also, engrossed House bill No. 124, entitled "an act amending section 30 of an act regulating fees of officers and repealing former acts in relation thereto," approved March 2, 1853.

Also, engrossed House bill No. 126, entitled "a bill to amend section 5 of an act entitled an act to authorize the construction of levees and drains," approved June 12, 1852.

Also, engrossed House bill No. 196, entitled "a bill to extend the time allowed by the law for the completion of gravel roads for the term of one year in cases therein specified."

Also, engrossed House bill No. 210, entitled "a bill to fix the time of holding the Court of Common Pleas in the county of Grant, and repealing all laws in conflict therewith."

Also, engrossed House bill No. 231, entitled "a bill to protect lawful public notices, and prescribing a penalty for injuries thereto."

Also, engrossed House Joint Resolution No. 20, entitled "a Joint Resolution instructing our Senators and requesting our Representatives in Congress for the passage of an act equalizing the pay of officers and soldiers engaged in the suppression of the rebellion."

And the same are herewith respectfully returned to the House of Representatives.

I am further directed to inform the House that the Senate has passed engrossed Senate bill No. 286, entitled "an act to amend the second section of an act entitled an act prohibiting Supreme, Circuit, or Common Pleas Judges, County Clerks, Auditors, Treasurers, Recorders, Sheriffs and their Deputies, from practicing law in any of the Courts of this State, except as in this act permitted, and prescribing the duties of Courts in reference thereto."

MR. SPEAKER:

I am further directed by the President of the Senate to inform the House of Representatives that the Senate has passed the following concurrent resolution, relating to the publication of the Adjutant General's Report.

In which the concurrence of the House is respectfully requested.

The Speaker announced that he had signed House bills Nos. 62, 67, 64 and 119.

PETITIONS, MEMORIALS AND REMONSTRANCES.

By Mr. Sullivan of Scott.

A petition on the subject of Temperance, signed by James Middleton and sundry other citizens of Scott county.

Which was referred to the Committee on Tenperance.

The Speaker laid before the House a remonstrance against the pardoning of Jefferson Davis, signed by P. L. Hurlbart and sundry other citizens of Indiana.

Which was referred to committee on Federal Relations.

REPORTS OF COMMITTEES.

Mr. Montgomery from the Committee on Enrolled Bills, made the following report:

MR. SPEAKER:

The Joint Committee on Enrolled Bills to whom was referred enrolled House bills Nos. 62 and 64, having compared them with the engrossed copies thereof, have directed me to report that they find the same correctly enrolled.

Mr. Branham from the Committee on Ways and Means, made the following report:

MR. SPEAKER:

The Committee on Ways and Means, to whom was referred House bill 285 with engrossed amendments of the Senate thereto, have had the same under consideration and have directed me to report the same back, and recommend that the House do not concur in the said amendments.

Which report was laid on the table.

Mr. Buskirk from the select committee, made the following report:

MR. SPEAKER:

The Select Committee to whom was referred Senate bill No. 281 entitled an act to amend an act entitled, "an act to fix the amount of the salary of the State Librarian, and repealing all laws conflicting therewith, and to dispense with an Assistant Librarian and Clerk," respectfully report, that they have had said bill under consideration, and recommend the following amendments:

Amend by changing the number of its sections so that section 3 shall be section 4 and insert the following as section 3:

Sec. 3. That the Librarian shall employ the fireman in charge of the furnace and wood yard at the rate paid those employed in similar occupations, and that the said Librarian shall make all purchases of fuel and other articles prior to, and during the session of the General Assembly that may be necessary for the use of the same, and that the Auditor of State be, and is hereby authorized, to draw his warrant upon the Treasurer of the State for the payment of such employees on the order of the said Librarian; and amend the title of the same act by inserting after the words "State Librarian" the following words: "And also increasing the powers and duties of the State Librarian." And upon the adoption of said amendments, the Committee recommend its passage.

Which report was laid on the table.

Mr Buskirk, from the select Committee, made the following report:

MR. SPEAKER:

The Select Committee to whom was referred Senate bill No. 247, respectfully report that they have had said bill under consideration and recommend its passage.

Which report was laid upon the table.

Mr. Buskirk, from a Select Committee, made the following report:

MR. SPEAKER:

The Select Committee to whom was referred Senate bill No. 239, respectfully report that they have had said bill under consideration and recommend its passage.

Which report was laid upon the table.

Mr. Buskirk, from a Select Committee, made the following report:

MR. SPEAKER:

The Select Committee, to whom was referred Senate bill No. 216, respectfully report that they have had said bill under consideration and recommend its passage.

Which report was laid on the table.

Mr. Buskirk, from a Special Committee, to whom was referred Senate bill No. 310, made the following report:

MR. SPEAKER:

The Select Committee to whom was referred Senate bill No. 310, respectfully report that they have had the same under consideration and recommend its passage:

Which report was laid on the table.

Mr. Buskirk, from a Select Committee, to whom was referred Senate bill No. 254, made the following report:

MR. SPEAKER:

The Select Committee to whom was referred Senate bill No. 254, respectfully report that they have had said bill under consideration, and recommend its passage.

Which report was laid on the table.

Mr. Buskirk, from a Select Committee made the following report:

MR. SPEAKER:

The Select Committee to whom was referred Senate bill No. 308, respectfully report that they have had said bill under consideration and recommend its passage.

Mr. Buskirk, from a Select Committee, made the following report:

MR. SPEAKER:

The Select Committee to whom was referred Senate bill No. 223, respectfully report that they have had said bill under consideration and recommend its passage.

Mr. Buskirk from a Select Committee, made the following report:

MR. SPEAKER:

The Select Committee to whom was referred Senate bill No. 225, beg leave to report the same back, and recommend its passage.

Mr. Buskirk, from the Select Committee to whom was referred Senate bill No. 293, made the following report:

MR. SPEAKER:

The Select Committee to whom was referred Senate bill No. 293, respectfully report that they have had said bill under consideration and recommend its passage.

Mr. Buskirk from a Select Committee, made the following report:

MR. SPEAKER:

The Select Committee to whom was referred Senate bill No. 247, respectfully report that they have had the same under consideration and recommend its passage.

Mr. Buskirk, from a Select Committee, made the following report:

MR. SPEAKER:

The Select Committee to whom was referred Senate Bill No. 230, respectfully report that they have had said bill under consideration, and recommend its passage.

Which report was laid on the table.

Mr. Buskirk, from a Select Committee, made the following report:

MR. SPEAKER:

The Select Committee to whom was referred Senate bill No. 269,

respectfully report that they have had the same under consideration and recommend its passage.

Which report was laid on the table.

Mr. Buskirk, from a Select Committee, made the following report:

MR. SPEAKER:

The Select Committee, to whom was referred Senate bill No. 213, respectfully report that they have had said bill under consideration and recommend that it be laid on the table.

Which report was laid on the table.

Mr. Buskirk, from a Select Committee, made the following report:

MR. SPEAKER:

The Select Committee, to whom was referred Senate bills Nos. 296, 312, 164, 271, 268, 301, 214, 261, 244, 219, 252, 174, 305, 234, 282, 218, 278, 294, 228 and 295, respectfully report that they have had the same under consideration and recommend their passage.

Mr. Buskirk, from a Select Committee, made the following report:

MR. SPEAKER:

The Select Committee, to whom was referred Senate bill No. 215, beg leave to report the same back and recommend its passage.

Which report was laid on the table.

Mr. Buskirk, from a Select Committee, made the following report:

Mr. SPEAKER:

The Select Committee, to whom was referred Senate bill No. 241, respectfully report that they have had the same under consideration, tion, and being equally divided upon the question, herewith return back said bill to the House for further consideration.

Which report was laid on the table.

Mr. Buskirk, from a Select Committee, made the following report:

MR SPEAKER:

The Select Committee, to whom was referred Senate bill No. 289,

respectfully report that they have had said bill under consideration, and recommend its passage.

Which report was laid on the table.

Mr. Buskirk, from select committee, made the following report:

MR. SPEAKER:

The select committee, to whom was referred Senate bill No. 284, respectfully report that they have had the said bill under consideration, and recommend its passage.

Which report was laid on the table.

Mr. Buskirk, from select committee, made the following report:

MR. SPEAKER:

The select committee, to whom was referred Senate bill No. 275, beg leave to report the same back, and recommend its passage.

Which report was laid on the table.

Mr. Buskirk, from select committee, made the following report:

MR. SPEAKER:

The select committee, to whom was referred Senate bill No. 262, respectfully report that they have had said bill under consideration, and recommend its passage.

Which report was laid on the table.

Mr. Buskirk, from select committee, made the following report:

MR. SPEAKER:

The select committee, to whom was referred Senate bill No. 246, respectfully report that they have had said bill under consideration, and recommend its passage.

Which report was laid on the table.

Mr. Buskirk, from select committee, made the following report:

MR. SPEAKER:

The select committee, to whom was referred Senate bill No. 229, beg leave to report the same back and recommend its passage.

Which report was laid on the table.

Mr. Buskirk, from select committee, made the following report:

MR. SPEAKER:

The select committee, to whom was referred Senate bill No 311, beg leave to report the same back and recommend its passage.

Which report was laid on the table.

Mr. Buskirk, from select committee, made the following report:

MR. SPEAKER:

The select committee, to whom was referred Senate bill No. 258, respectfully report that they have had said bill under consideration, and recommend its passage.

Which report was laid on the table.

Mr. Buskirk, from the select committee, to whom was referred Senate bill No. 273, made the following report:

MR. SPEAKER:

The select committee, to whom was referred Senate bill No. 273, respectfully report that they have had the same under consideration, and recommend its passage.

Which report was laid on the table.

Mr. Buskirk, from the select committee, to whom was referred Senate bill No. 300, made the following report:

MR. SPEAKER:

The select committee, to whom was referred Senate bill No. 300, respectfully report that they have had said bill under consideration, and recommend its passage.

Which report was laid upon the table.

Mr. Buskirk, from the select committee, to whom was referred Senate bill No. 156, made the following report:

MR. SPEAKER:

The select committee, to whom was referred Senate bill No. 156,

respectfully report that they have had the same under consideration, and recommend its passage.

Which report was laid upon the table.

Mr. Buskirk, from the select committee, to whom was referred Senate bill No. 315, made the following report:

MR. SPEAKER:

The select committee, to whom was referred Senate bill No. 315, respectfully report that they have had said bill under consideration, and recommend its passage.

Which report was laid on the table.

Mr. Buskirk, from the select committee, to whom was referred Senate bill No. 249, made the following report:

MR. SPEAKER:

The select committee, to whom was referred Senate bill No. 249, beg leave to report the same back and recommend its passage.

Which report was laid on the table.

Mr. Buskirk, from the special committee, to whom was referred Senate bill No. 208, made the following report:

MR. SPEAKER:

The select committee, to whom was referred Senate bill No. 208, respectfully report that they have had said bill under consideration, and recommend its passage.

Which report was laid on the table.

Mr. Buskirk, from the select committee, to whom was referred Senate bill No. 313, made the following report:

MR. SPEAKER:

The select committee, to whom was referred Senate bill No. 313, beg leave to report the same back and recommend its passage.

Which report was laid on the table.

Mr. Buskirk, from the select committee, to whom was referred Senate bill No. 283, made the following report:

MR. SPEAKER:

The select committee, to whom was referred Senate bill No. 283

respectfully report that they have had the same under consideration, and recommend its passage.

Which report was laid on the table.

Mr. Buskirk, from the select committee, to whom was referred Senate bill No. 303, made the following report:

MR. SPEAKER:

The select committee, to whom was referred Senate bill No. 303, have had the same under consideration, and respectfully recommend its passage.

Which report was laid on the table.

Mr. Buskirk, from the select committee, to whom was referred Senate bill No. 256, made the following report:

MR. SPEAKER:

The select committee, to whom was referred Senate bill No. 256, respectfully report that they have had the same under consideration, and recommend its passage.

Which report was laid on the table.

Mr. Buskirk, from the select committee, to whom was referred Senate bill No. 159, made the following report:

MR. SPEAKER:

The select committee, to whom was referred Senate bill No. 159, beg leave to report the same back and recommend its passage.

Which report was laid on the table.

Mr. Buskirk, from the select committee, to whom was referred Senate bill No. 272, made the following report:

MR. SPEAKER:

The select committee to whom was referred Senate bill No. 272, beg leave to report the same back and recommend its passage.

Which report was laid on the table.

Mr. Buskirk, from the select committee, to whom was referred Senate bill No. 255, made the following report:

MR. SPEAKER:

The select committee, to whom was referred Senate bill No. 255,

respectfully report that they have had said bill under consideration, and recommend its passage.

Which report was laid on the table.

Mr. Buskirk from the Select Committee, to whom was referred Senate bill No. 187, made the following report:

MR. SPEAKER:

The Select Committee, to whom was referred Senate bill No. 187, respectfully report that they have had said bill under consideration and recommend its passage.

Which report was laid on the table.

Mr. Rhoads from the Joint Committee on Enrolled Bills, made the following report:

MR. SPEAKER:

The Joint Committee on Enrolled Bills respectfully report that they have carefully compared enrolled House act No. 119 with the original copy thereof, and the engrossed amendments thereto, and instruct me to report the same as in all respects properly and correctly enrolled.

Mr. Rhoads from the Joint Committee on Enrolled Bills, made the following report:

MR. SPEAKER:

The Joint Committee on Enrolled Bills respectfully report that on the 18th day of December, 1865, they presented to His Excellency, Conrad Baker, Acting Governor of the State, for his approval and signature enrolled acts of the House of Representatives, Nos. 21, 22, 29, 33, 52, 53, 58, 75 and 239 and Enrolled Joint Resolution of the House No. 11, December 20, 1865.

Mr. Buskirk, from the select committee on Senate bill No. 170, made the following report:

MR. SPEAKER:

The Select Committee, to whom was referred Senat bill No. 170, entitled an act to amend sections eight and ten of an act entitled, "an act regulating the fees of officers and repealing former acts in relation thereto," approved March 2, 1855, respectfully report the the same back to the House with the following amendments, and when so amended, recommend its passage.

Insert after the word "words," in the fourth line of section eigh "ten cents, except the first copy of the tax duplicate, for which the shall be allowed fifteen cents per hundred words."

In the sixth line of the tenth section strike out the word "five and insert the word "four."

Which report was laid on the table.

Mr. Stringer offered the following concurrent resolution:

Be it resolved by the House of Representatives of the State of Indiana, the Senate concurring, That the Governor be authorized appoint a committee consisting of three competent business me whose duty it shall be to visit the State prisons, North and Sout and thoroughly investigate the books and accounts of the same; compare the workings of the present prison system, since its inaugu ation with the workings of the lease system, during the precedin ten years, making such investigation and presenting such facts an figures as shall enable the next General Assembly of the State Indiana to legislate intelligibly, in relation to prison affairs, an that it be their duty to report at the next regular session of th General Assembly of the State of Indiana.

Mr. Newcomb moved to postpone the consideration of said reso lution till to-morrow at 11 o'clock, and make it the special order fo the day for that hour.

Which was agreed to.

Mr. Cowgill presented the following concurrent resolution:

Resolved by the House of Representatives, the Senate concurring, That the Attorney General, for the State, be instructed to inquir what amount of profits have been derived to the Board of Sinkin Fund Commissioners, or any member thereof, in consequence of an misapplication or unauthorized use of any moneys belonging to sai Sinking Fund. And if he finds that such profits have inured to th benefit of said Sinking Fund Commissioners, or any member thereo to bring suit in the name of the State for the same.

Mr. Newcomb moved to postpone the consideration of said resolu tion till to-morrow at 11½ o'clock, A. M.

Which was agreed to.

Mr. Buskirk moved to suspend the regular order of business and

ake up House bill No. 6, and make the same the special order for o-day at 11 o'clock, A. M.

Mr. Branham called for the regular order of business.

The Speaker decided that the regular order of business took recedence.

Whereupon, Mr. Buskirk and Brown presented the following ppeal:

The Chair having decided that the motion made by Mr Buskirk o suspend the order of business, to take up House bill No. 6, as uperceded by the call for the regular order. We respectfully appeal rom such decision.

The question being, shall the decision of the Chair stand as the udgment of the House?

Messrs. Buskirk and Brown demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Atkinson, Bonner, Branham, Burnes, Caldwell, Chambers, ook, Cowgill, Cox, Croan, Crook, Davidson, Ferris, Foulke, Glazerook, Gleason, Gregory of Montgomery, Gregory of Warren, Iamrick, Henricks, Hershey, Higgins, Hogate, Hoover, James, ane, Lasselle, Litson, Lockhart, Major, Miller, Milroy, Montomery, McVey, Olleman, Prather, Reese, Rhoads, Riford, Sabin, Shoaff of Allen, Shuey, Sim, Stewart, Stivers, Stringer, Trusler, Ipson, Welch, Woodruff, Wright, Woods and Zeigler—53.

Those who voted in the negative were.

Messrs. Abbett, Bird, Boyd, Brown, Burton, Burwell, Buskirk, Church, Coffroth, Collins, Dunham, Goodman, Gregg, Groves, Hargrove, Harrison, Howard, Humphreys, Hunt, Lemon, Lopp, Osborn, born, Patterson, Perigo, Pinney, Richards, Richardson, Roach, Spencer, Stuckey, Sullivan of Scott, Thatcher, Veach, Weikel and White—35.

So the decision of the Speaker was sustained.

Message from the Senate by Mr. Wilson their Secretary.

MR. SPEAKER:

I am directed by the President of the Senate to inform the House that the Senate has concurred in the House amendments to Senate amendments to House bill No. 270, and the same are herewith respectfully returned to the House.

ORDERS OF THE DAY.

Mr. Branham moved to take up House bill No. 285.
Which was agreed to.

Mr. Montgomery, from the Joint Committee on Enrolled Bills, made the following report:

MR. SPEAKER:

The Joint Committee on Enrolled Bills, to whom was referred Enrolled House Bills No. 82 and 124, have carefully compared them with the engrossed copies thereof, and have directed me to report that they find the same in all respects correctly enrolled.

Mr. Rhoads, from the Committee on Enrolled Bills, made the following report:

MR. SPEAKER:

The Joint Committee on Enrolled Bills respectfully report that on Wednesday, December 20, 1865, at 10¼ o'clock, A. M., they presented Enrolled Acts, of the House of Representatives, No. 62, 64, 67 and 119, to his Excellency, Conrad Baker, the acting Governor of the State, for his approval and signature.

House bill No. 285. A bill to provide a State Debt Sinking Fund, for the payment of the principal and interest of the War Loan Bonds, and five, and two and one-half per cent. stocks of the State therein named; prescribing the duties of the Auditor, Treasurer, and Agent of State in relation thereto; providing for a Clerk of said Sinking Fund and fixing his salary, and providing a penalty for the violation of its provisions, and declaring an emergency for the immediate taking effect of the same.

Was taken up with the following engrossed amendments of the Senate:

Strike out the title of House bill No. 285, and in lieu thereof insert the following as the title of the bill:

An act to abolish the Indiana State Agency in the city of New York, the Board of Sinking Fund Commissioners of this State, and all the offices connected therewith; to invest the moneys belonging to said fund and the State Debt Sinking Fund in the stocks and bonds of the State, and to transfer the business of said Board of Sinking Fund to the offices of Auditor and Treasurer of State; and also to provide for the adjustment of the debt of the State by issuing coupon bonds for the present five per cent. registered stocks of the State, and declaring an emergency to exist for the passage of this act.

Strike out all of said bill after the enacting clause, and insert the following as an amendment to the same:

Section 1. *Be it enacted by the General Assembly of the State of Indiana*, That section 4 of an act, entitled "an act to provide for the funded debt of the State of Indiana and for the completion of the Wabash and Erie Canal to Evansville," approved January 19, 1846, and which reads as follows, to-wit:

Sec. 4. The stock created pursuant to this act shall be transferrable only in the city of New York, on books to be provided for that purpose by the State, by the holder or holders thereof, or his, her, or their duly constituted attorney, and in pursuance of such rules as may be adopted, or may be prescribed by law. But no transfer shall at any time be permitted, except on surrender and cancelment of the outstanding certificates, be, and the same is hereby repealed, and the Indiana State Agency in the city of New York is hereby abolished, to take effect from and after the 1st day of January, 1867.

Sec. 2. To justify the first section of this act, and to maintain inviolate the pledged faith of the State, it is hereby made the duty of the Governor, Secretary, Auditor, and Treasurer of State to cause to be engrossed and executed in the usual manner, a sufficient number of bonds, with coupons attached, bearing interest at the rate of six per centum per annum, payable semi-annually, and redeemable in twenty years from and after the 19th day of January, 1866, or a shorter period, at the pleasure of the State, and not to exceed their par value, and of denominations of five hundred and one thousand dollars each, and offer to the holders of the five per cent. registered stocks of the State to substitute them, dollar for dollar, for the same.

Sec. 3. It is hereby made the duty of said officers of State to provide books in which shall be kept a correct statement of all the stocks of the State, surrendered under the provisions of this act by the holders thereof, together with their numbers, denominations, date, and the name of the owners, and the agent or attorney surrendering the same. They shall also provide books in which shall be kept a registry of the coupon bonds issued under this act, to whom delivered, their number and denominations, and the number of coupons thereto attached.

Sec. 4. The stocks contemplated to be surrendered under the provisions of this act, shall be received and canceled; and said bonds issued therefor at the agency in the city of New York, by the Agent of State, or such other person or persons as the Governor may appoint at any time after the 19th day of January, 1866, and before the 1st day of January, 1867, and immediately after the said last mentioned date, all the books and papers belonging to said agency shall be sent to and deposited in the office of the Auditor of State, by said agent, and all the furniture belonging to said agency shall be sold by said agent, and the money arising therefrom deposited in the office of the Treasurer of State; and from and after the said 1st day of January, 1867, said stocks shall be surrendered and bonds delivered at the office of the Auditor of State.

Sec. 5. From and after the 1st day of January, 1867, the interest on that portion of the public debt of the State, contemplated in this act, shall only be paid by the Treasurer of State, at his office, on the presentation at his counter of the coupons then due, or the interest due on two and one-half per cent. stocks held by the school fund.

Sec. 6. To more effectually carry out the provisions of this act, it is hereby made the duty of the Governor of the State, immediately after the passage of this act, and prior to the said 19th day of January, 1866, to issue a proclamation to the creditors of the State, proposing to them the conditions and terms of this act.

Sec. 8. All the moneys and funds belonging to the people of this State, and not already invested in the stocks of the State, and known as the "State Debt Sinking Fund." The Sinking Fund and all the other moneys and funds belonging to the people of this State, and not specially appropriated and needed for other purposes, be, and the same are hereby, appropriated and directed to be used and invested

in the redemption of the two and one-half per centum stocks of the State until all of said two and one-half per centum stocks are fully redeemed, and afterwards in the other stocks and bonds of the State, as fast as moneys, from year to year, accumulate in said "State Debt Sinking Fund," which said fund is irrevocably pledged for the redemption of said stocks and bonds at their market value. And all the property of whatever kind, both real and personal, belonging to said funds, or any of them, are hereby directed to be sold on such terms, in such manner, and at such time as the said Sinking Fund Commissioners during their continuance in office, and thereafter as the Governor, Auditor, Secretary and Treasurer of State shall deem for the best interest of said fund, and the moneys arising therefrom shall be invested in said stocks or bonds of the State as aforesaid, and after the said 4th day of March, 1867, the Board of Sinking Fund Commissioners shall surrender to the Auditor of State all the books and papers, stocks, bonds, mortgages, moneys, rights, credits, and effects belonging to said fund, who shall provide a suitable place for their safe keeping. From and after the last mentioned date, it shall be the duty of the Governor, Auditor, Secretary and Treasurer of State, to invest all the moneys arising from mortgaged premises, and from other sources belonging to said fund, as fast as they are due and collected in said stocks and bonds of the State.

Sec. 9. It is hereby made the duty of the Auditor on the 19th day of July and January, of each year to issue his warrant to the Treasurer of State for the amount of interest due said School Fund on State stocks held by said fund, and also to clip from said bonds held by said fund the coupons then due, and surrender the same to said Treasurer, taking his receipt for the amount of said warrant and coupons, and the said Treasurer shall then proceed to disburse from the Treasury of State, for the use of said Fund an amount of money equal to said warrant and said coupons, and in accordance with the law, and for the perpetual preservation of the principal of said school and trust funds, and for the punctual payment of the semi-annual accruing interest thereon, for the purpose contemplated in the creation of said funds, the faith of the State is hereby irrevocably pledged.

Sec. 10. It is hereby declared that an emergency exists for the immediate taking effect of this act; it shall therefore take effect and be in force from and after its passage.

The amdndments were read.

The question being shall the House concur in said engrossed amendments of the Senate?

They were not concurred in.

Ordered, That the Clerk inform the Senate thereof.

Senate bill No. 196. A bill concerning the writ of habeas corpus.

Was taken up with the engrossed amendments of the House, heretofore reported.

Mr. Newcomb moved that the House recede from its amendments.

Which was agreed to.

Ordered, That the Clerk inform the Senate thereof.

Mr. Griffith moved to suspend the order of business and take up House bill No. 282.

Which was not agreed to.

A message from the Governor, by Charles P. Jacobs, his Private Secretary.

MR. SPEAKER:

I am directed by the Governor to inform the House of Representatives that he has approved and signed the following Enrolled Bills thereof:

No. 62, entitled, "an act empowering incorporated cities and incorporated towns, to plant and maintain shade trees along the streets, alleys, public squares and commons thereof, and to provide for the protection of the same at the expense of the adjoining property holders."

No. 64, entitled, an act entitled an act to amend the 406th section of an act entitled "an act to revise, simplify and abridge the rules practice, pleadings and forms in civil cases, in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice without distinction between law and equity," approved June 18, 1852

No. 67, entitled, "an act to entitle attorneys to hold liens on judgements."

No. 119, "an act to create a State Normal School, and declaring an emergency," and that the same have been deposited in the office of the Secretary of State.

A message from the Senate, by Mr. Wilson, their Secretary.

I am directed by the President of the Senate, to inform the House, that the President of the Senate has signed the following enrolled acts of the House of Representatives, to-wit:

Enrolled acts, Nos. 64, 67, 62 and 119.

Mr. Henricks moved to suspend the order of business and take up Senate bill No. 293.

Which was agreed to.

Engrossed Senate bill No. 293. A bill to provide for the periodic enumeration of the white male inhabitants of this State over the age of twenty-one, to prescribe the duties and fix the compensation of officers in relation thereto, and also to prescribe the penalties for the violation of official duty in connection with said enumerations, as well as the manner in which, and the Courts by which, said penalties shall be enforced,

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were.

Messrs. Abbett, Atkinson, Bonner, Boyd, Branham, Burnes, Burton, Burwell, Buskirk, Caldwell, Chambers, Church, Coffroth, Collins, Cowgill, Cox, Croan, Crook, Davidson, Dunham, Ferris, Foulke, Glazebrook, Gleason, Goodman, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Humphreys, Hunt, James, Kilgore, Lane, Lasselle, Litson, Lockhart, Lopp, Major, Miller, Milroy, Montgomery, McVey, Newcomb, O'Brien, Olleman, Osborn, Patterson, Perigo, Pinney, Prather, Reese, Rhoads, Rice, Richards, Riford, Roach, Sabin, Shoaff of Allen, Shuey, Sim, Stewart, Stivers, Stuckey, Sullivan of Scott, Sullivan of P. and V., Thatcher, Trusler, Upson, Veach, Weikel, Welch, Woodruff, Woods, Zeigler and Mr. Speaker —82.

None voting in the negative.

The question being, shall the title, as read, stand as the title of said bill?

It was so ordered.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Cowgill moved to suspend the order of business and take up Senate bill No. 289.

Which was agreed to.

And said bill was taken up and ordered to be read a third time.

Senate bill No. 289. An act to provide for the acknowledgment of the execution of official bonds, and to declare the effect and obligation of such bonds as between the obligors and the State,

Was read a third time.

The question being, shall said bill pass?

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Bonner, Burnes, Buskirk, Caldwell, Chambers, Church, Coffroth, Collins, Cowgill, Cox, Croan, Crook, Davidson, Dunham, Ferris, Foulke, Glazebrook, Gleason, Goodman, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Hargrove, Harrison, Henricks, Hersey, Higgins, Hogate, Hoover, Howard, Humphreys, Hunt, James, Kilgore, Lane, Lemon, Lockhart, Major, Miller, Milroy, Montgomery, McVey, Newcomb, O'Brien, Olleman, Osborn, Patterson, Perigo, Pinney, Prather, Reese, Rhoads, Rice, Richards, Riford, Roach, Shoaff of Allen, Shuey, Sim, Stewart, Stivers, Stringer, Sullivan of P. and V., Trusler, Upson, Veach, Weikel, Welch, Woodruff, Woods, Zeigler and Mr. Speaker —76.

Those who voted in the negative were,

Messrs. Sabin and Sullivan of Scott—2.

The question being shall the title, as read, stand as the title of said bill?

It was so ordered.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

A message from the Senate, by Mr. Wilson, their Secretary.

MR. SPEAKER:

I am directed by the President of the Senate to inform the House of Representatives that he has signed enrolled act of the Senate No. 21. An act to amend sections nine, ten, eighteen, nineteen, twenty-three, twenty-four and thirty-three of an act entitled "an act to uncorporate the town of Vernon, Jennings county, Indiana," approved January 22, 1851, and to request the signature of the Speaker of the House of Representatives thereto.

Mr. Brown moved to take from the table messages from the Senate containing House bill No. 198.

Which was agreed to.

Mr. Brown moved that a Committee of free conference be appointed, on the part of the House.

Which was agreed to.

The Speaker announced the following conferees on the part of the House, on Senate bill No. 198:

Messrs. Newcomb, Buskirk and Henricks.

A message from the Senate, by Mr. Wilson, their Secretary.

I am directed by the President of the Senate to inform the House that the Senate has refused to recede from its action on engrossed House amendments to Senate bill 198, wherein the Senate concurred in the 1st and 3d of said amendments and refused to concur in the 2d and 4th of the same. And that in consideration of such difference the Senate has appointed the following committee on the part of the Senate as a committee of conference:

Messrs. Cullen and Oyler.

A Message from the Senate, by Mr. Wilson, their Secretary.

MR. SPEAKER:

I am directed by the President of the Senate to inform the House that he has signed the following enrolled acts of the House, to-wit. enrolled acts No. 82 and 124, and the same are herewith respectfully returned.

Mr. Burnes moved to suspend the order of business and take up Senate bill No. 241.

Which was agreed to.

Engrossed Senate bill No.241. A bill to amend an amendment of an act entitled "an act in relation to witnesses, and to repeal section 238 of article 13 of the act entitled an act to revise, simplify and abridge the rules, practice, pleading, and forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice without distinction between law and equity," approved June 18, 1852, and to repeal all laws inconsistent therewith, and providing when the act shall take effect and be in force, which took effect and went into force March 17, 1861.

Was taken up, and read a third time.

The question being, shall said bill pass?

Those who voted in the affirmative were,

Messrs. Atkinson, Bonner, Boyd, Brown, Burnes, Burton, Burwell, Buskirk, Caldwell, Chambers, Church, Coffroth, Cook, Cowgill, Cox, Crook, Davidson, Ferris, Foulke, Goodman, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, Humphreys, Hunt, James, Kilgore, Lane, Lemon, Litson, Lockhart, Major, Miller, Montgomery, McVey, Newcomb, O'Brien, Olleman, Osborn, Perigo, Pinney, Prather, Reese, Rhoads,Rice, Riford, Sabin, Shoaff of Allen, Shuey, Sim, Stewart, Stringer, Stuckey, Sullivan of Scott, Thatcher, Upson, Veach, Weikel, Welch, White, Woodruff, Woods, Zeigler and Mr. Speaker—73.

Those who voted in the negative were,

Messrs. Collins, Glazebrook, Hargrove, Milroy, Richards and Stenger—6.

The question being, shall the title as read, stand as the title of said bill.

It was so ordered.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

The Speaker announced that he had signed Senate bill No. 21 and House bill No. 126.

Mr. Miller moved to take up the message from the Senate, on House bill No. 285.

Which was agreed to.

A message from the Senate, by Mr. Wilson, their Secretary:

Mr. Speaker:

I am directed by the President of the Senate to inform the House that the Senate has refused to recede from its amendments to House bill No. 285, and in consideration of such difference have appointed the following committee of conference: Senators Bradley and Cason.

The Speaker announced the following conferees on the part of the House, on House bill No. 285.

Messrs. Branham, Brown and Henricks.

Mr. Newcomb moved to suspend the rules and take up Senate bills Nos. 156 and 300.

Which was agreed to.

Engrossed Senate bill No. 156, an act to amend the 14th section of the act entitled, "an act to limit the number of Grand Jurors and to point out the manner of their selection, defining their jurisdiction and repealing all laws inconsistent therewith," approved March 4, 1852, and to change the form of the oath of Grand Jurors.

Mr. Montgomery from the Joint Committee on Enrolled Bills made the following report:

Mr. Speaker:

The Joint Committee on Enrolled Bills to whom was referred House Bill No. 126, have carefully compared the same with the engrossed copy thereof, and respectfully report that they find the same in all respects carefully engrossed,

Was taken up and read a third time.

The question being shall said bill pass?

Those who voted in the affirmative were,

Messrs. Atkinson, Bonner, Boyd, Brown, Burnes, Burton, Burwell, Buskirk, Chamber, Church, Coffroth, Cook, Cowgill, Cox, Crook, Davidson, Ferris, Foulke, Goodman, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, James, Kilgore, Lemon, Litson, Lockhart, Lopp, Major, Montgomery, McVey, Newcomb, Olleman, Osborn, Perigo, Pinney, Prather, Rhoads, Riford, Rice, Sabin, Shuey, Stewart, Stivers, Stringer, Sullivan of Scott, Thatcher, Trusler, Upson, Veach, Welch, White, Woodruff, Wright, Woods, Zeigler and Mr. Speaker—67.

Those who voted in the negative were,

Messrs. Collins, Dunham, Glazebrook, Humphreys, Hunt, Lane, O'Brien, Reese, Richards, Richardson, Shoaff of Allen, Shoaff of Jay and Stuckey—12.

The question being, shall the title as read stand as the title of said bill?

It was so ordered.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Rhoads from the Joint Committee on Enrolled Bills made the following report:

Mr. Speaker:

The Joint Committee on Enrolled Bills respectfully report that they have carefully compared enrolled acts of the House of Representatives Nos. 79 and 84 with the original copies thereof, and instruct me to report the same in all respects correctly enrolled.

Mr. Rhoads from the Joint Committee on Enrolled Bills, made the following report:

Mr. Speaker:

The Joint Committee on Enrolled Bills, now report that on Wednesday, December 20, 1865, at 12¼ o'clock P. M., they presented to His Excellency, the Acting Governor of the State, for his approval and signature, House enrolled acts, Nos. 82 and 124.

Senate bill No. 300. A bill to amend the fifth section of the act entitled an act providing for an organization of Circuit Courts, the election of Judges thereof and defining their powers and duties," approved June 1, 1852.

Was read a third time.

The question being shall said bill pass?

Those who voted in the affirmative were,

Messrs. Atkinson, Bonner, Boyd, Branham, Brown, Burnes, Buskirk, Caldwell, Chambers, Church, Coffroth, Cook, Cowgill Cox, Crook, Davidson, Ferris, Goodman, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, Kilgore, Lane, Lemon, Litson, Lockhart, Lopp, Major, Miller, Milroy, Montgomery, McVey, Newcomb, Olleman, Osborn, Perigo, Pinney, Prather, Rhoads, Rice, Richards, Richardson, Riford, Roach, Sabin, Shuey, Stewart, Stivers, Stringer, Sullivan of Scott, Thatcher, Trusler, Upson, Veach, Welch, White, Woodruff, Woods, Zeigler and Mr. Speaker—71.

Those who voted in the negative were,

Messrs. Collins, Glazebrook, Humphreys, Hunt, Reese, Shoaff of Allen, Shoaff of Jay and Weikel—8.

The question being, shall the title, as reported, stand as the title of said bill?

It was so ordered.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Coffroth moved to suspend the order of business and take up Senate bill No. 201.

Which was agreed to.

Senate bill No. 201. A bill to provide for the cure and treatment of the incurable insane of the State of Indiana and matters properly connected therewith.

Was taken up.

Mr. Coffroth moved to suspend the constitutional rule, requiring bills to be read on three several days by sections, and read said bill a second time by title, and a third time by sections, now.

The ayes and noes were taken under the Constitution.

Those who voted in the affirmative were,

Messrs. Atkinson, Bonner, Boyd, Branham, Brown, Burnes, Burton, Burwell, Buskirk, Caldwell, Church, Coffroth, Collins, Cook, Cowgill, Cox, Crook, Davidson, Dunham, Ferris, Glazebrook, Goodman, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Hargrove, Harrison, Hershey, Higgins, Hogate, Hoover, Howard, Kilgore, Lane, Lemon, Litson, Lockhart, Lopp, Major, Miller, Milroy, Montgomery, Newcomb, Olleman, Osborn, Perigo, Pinney, Prather, Reese, Rhoads, Rice, Richardson, Riford, Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Stewart, Stivers, Stringer, Stuckey, Thatcher, Trusler, Upson, Veach, Weikel, Welch, White, Woodruff, Woods, Zeigler and Mr. Speaker—74.

None voting in the negative.

So it was deemed expedient to suspend the constitutional rule, and said bill was read a first time by its title, and a third time by sections.

The question being, shall said bill pass?

Those who voted in the affirmative were,

Messrs. Atkinson, Bonner, Boyd, Branham, Brown, Burnes, Burton, Burwell, Buskirk, Caldwell, Church, Coffroth, Cook, Cowgill, Cox, Crook, Davidson, Dunham, Ferris, Foulke, Glazebrook, Gleason, Goodman, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, Humphreys, Kilgore, Lane, Lemon, Litson, Lockhart, Lopp, Major, Miller, Milroy, Montgomery, McVey, Newcomb, O'Brien, Olleman, Perigo, Pinney, Prather, Rhoads, Richardson, Riford, Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Stewart, Stivers, Stuckey, Trusler, Upson, Veach, Weikel, Welch, Woodruff, Wright, Woods, Zeigler and Mr. Speaker—73.

Those who voted in the negative were,

Messrs. Collins and Stringer—2.

The question being, shall the title, as read, stand as the title of said bill?

It was so ordered.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

On motion by Mr. Groves,

The House adjourned.

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2 o'clock, p. m.

The House met.

The Speaker ordered a call of the House, when the following members answered to their names:

Messrs. Abbett, Atkinson, Bird, Bonner, Boyd, Burnes, Burwell, Coffroth, Collins, Cowgill, Cox, Croan, Crook, Davidson, Dunham, Ferris, Foulke, Glazebrook, Gleason, Goodman, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hargrove, Harrison, Hershey, Higgins, Hogate, Hoover, Hunt, Kilgore, Lane, Lemon, Litson, Lockhart, Lopp, Major, Meredith, Miller, Montgomery, McVey, Newcomb, Olleman, Osborn, Patterson, Perigo, Pinney, Prather, Rhoads, Richards, Richardson, Riford, Roach, Sabin, Shoaff of Allen, Shuey, Sim, Stewart, Stenger, Stivers, Stringer, Stuckey, Thatcher, Trusler, Veach, Weikel, Welch, White, Woodruff, Wright, Woods, Zeigler and Mr. Speaker—75.

There being a quorum present, a further call was dispensed with.

Mr. Newcomb, by unanimous consent, moved to take up the message of the Senate containing House bills Nos. 277, 278 and 280.

Which was agreed to.

House bill No. 277, with engrossed Senate amendments.

Was informally passed over.

The speaker announced that he had signed House bills No. 231, 86, 210 and 41.

House bill No. 278. A bill creating the sixteenth Judicial Circuit Court, and providing for the election of a Judge and prosecuting Attorney thereof, and providing compensation therefor, and declaring its jurisdiction, and providing for a transfer of actions thereto.

Was taken up with the following engrossed amendments of the Senate, to-wit:

Strike out all after the enacting clause and insert the following.

That the county of Marion shall be erected into and constitute the sixteenth Judicial Circuit, and there shall be established therein a Criminal Circuit Court, with jurisdiction as provided by law, but this act shall not in any way interfere with the organization of the Marion Circuit Court as now provided by law, nor its jurisdiction, except in criminal cases. The said Criminal Court shall be held at the Court House in Indianapolis, or at such other place in said city, as the Board of Commissioners of said county may provide. The Clerk and Sheriff of the Marion Circuit Court shall be the Clerk and Sheriff of the said Criminal Court. The said Court shall in all things not otherwise provided by law, be governed by the law now in force in regard to Circuit Courts, and the Judge, and Prosecuting Attorney, Clerk and Sheriff, shall receive the same salary and fees allowed by law to the Judges, Prosecuting Attorney, Clerk and Sheriff, of the Circuit Court.

In the first line of section two after the word "the" insert the words "Criminal Circuit"

Which amendments, on motion, were agreed to.

Ordered, That the Clerk inform the Senate thereof.

House bill No. 280. A bill to amend section fourteen of an act entitled "an act to limit the Grand Jurors, and to point out the mode of their selection, defining their jurisdiction, and repealing all laws inconsistent therewith," approved March 4, 1852, with the following engrossed amendments of the Senate, to-wit:

Also, that the Senate has passed engrossed House bill No. 280, with the following engrossed Senate amendments hereto, to-wit:

On page 3 line 5 after the word "felonies" strike out the word "only" and insert the words "any misdemeanors."

Which amendments, on motion, were agreed to.

Ordered, That the Clerk inform the Senate thereof.

ORDERS OF THE DAY.

Senate bill No. 93. A bill defining certain felonies and prescribing punishment therefor.

Was taken up.

Mr. Kilgore moved that it be deemed expedient to suspend the Constitutional Rule, requiring bills to be read on three several days by sections, and read said bill a second time by its title, and a third time by sections, now.

The ayes and noes were taken under the Constitution.

Those who voted in the affirmative were,

Messrs. Atkinson, Bonner, Burwell, Buskirk, Caldwell, Church, Coffroth, Collins, Cook, Cowgill, Cox, Croan, Cook, Davidson, Ferris, Foulke, Glazebrook, Gleason, Goodman, Gregory of Warren, Griffith, Groves, Hargrove, Harrison, Hershey, Higgins, Hogate, Hoover, Howard, Hunt, James, Kilgore, Lasselle Lemon, Litson, Lockhart, Lopp, Major, Meredith, Miller, Montgomery, McVey, O'Brien, Olleman, Osborn, Patterson, Perigo, Pinney, Prather, Reese, Rhoads, Rice, Richards, Richardson, Riford, Roach, Sabin, Shoaff of Jay, Shoaff of Allen, Shuey, Sim, Stewart, Stenger, Stivers, Stringer, Stuckey, Trusler, Veach, Weikel, Welch, White, Woodruff, Wright, Woods, Zeigler and Mr. Speaker—74.

Those who voted in the negative were,

Messrs. Dunham, Gregg and Milroy—3.

So it was deemed expedient to suspend said constitutianal rule, and said bill was read a second time by its title.

Mr. Kilgore offered the following amendment:

Amend Senate bill No. 93 by striking out all after enacting clause and insert the following:

"That every President, Director, Cashier, Secretary, Treasurer, Teller, Clerk, Book-keeper, Agent or other employee of any bank, banking company, corporation or association, and every President, Director, Secretary, Treasurer, Conductor, Book-keeper, Clerk, Agent or other employee of any railroad company, corporation or association, or of any insurance company, turnpike or plank road company, or of any telegraph company, or association, and every Clerk, Treasurer, Cashier, Book-keeper or other person, in the employment of any merchant, trader, manufacturer or person, company or association, or persons engaged in any business whatever, who while in such employment as aforesaid, shall purloin, secrete, or in any manner whatever, fraudulently, appropriate to his or her own use, or to the use of others, or knowingly permit any other person to take, purloin, secrete, or in any way to appropriate to his or her own use, or to the use of others, any of the moneys, coins, bills, notes, credits, or other property or article of value, belonging to or deposited with any such bank, banking company or association, or any such, railroad company, corporation or association, or any such insurance company, telegraph company, turnpike or plank road company or association, or any such merchant, trader, manufacturer, or person, company or association of persons engaged in business as aforesaid, in whose employment he or she may be, shall be deemed guilty of embezzlement, and upon conviction thereof on presentment or indictment, shall be fined in any sum not less than one or more than five hundred dollars, and be imprisoned at hard labor in the State prison not less than two nor more than twenty years.

As there is no law punishing the offense aforesaid, an emergency is hereby declared to exist for the taking effect of this act, therefore it shall be in force from and after its passage.

Which were agreed to.

And said bill was ordered to a third reading.

And Senate bill No. 93, was read a third time.

The question being, shall said bill pass?

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Bird, Bonner, Boyd, Burnes, Burton, Burwell, Buskirk, Caldwell, Church, Coffroth, Collins, Cook, Cowgill,

Cox, Croan, Davidson, Ferris Foulke, Glazebrook, Gleason, Goodman, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hargrove, Harrison, Hershey, Higgins, Hogate, Hoover, Hunt, Kilgore, Lane, Lasselle, Lemon, Litson, Lockhart, Lopp, Major, Meredith, Miller, Milroy, Montgomery, McVey, Newcomb, O'Brien, Olleman, Osborn, Patterson, Perigo, Pinney, Prather, Reese, Rhoads, Rice, Richards, Richardson, Riford, Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Stenger, Stivers, Stringer, Stuckey, Sullivan of Scott, Trusler, Upson, Veach, Weikel, Welch, White, Woodruff, Wright, Woods, Zeigler and Mr. Speaker—84.

Mr. Dunham voting in the negative.

So the bill passed.

The question being, shall the title, as read, stand as the title of said bill?

Mr. Kilgore moved to amend said title as follows:

Amend the title of Senate bill No. 93, by striking out the title thereof, and inserting the following:

"An act defining the crime of embezzlement and prescribing the punishment therefore."

Which was agreed to.

The title, as amended,
Was agreed to.

Ordered That the Clerk inform the Senate thereof.

House bill No. 277. A bill to amend sections two and five of an act entitled, "an act providing for the organizations of CircuitCourts, the election of Judges thereof, and defining their powers and duties," approved June 1, 1855.

Was taken up, with the following engrossed amendments of the Senate:

MR. SPEAKER:

I am directed by the President of the Senate to inform the House of Representatives that the Senate has passed engrossed House bil No. 277 with the following engrossed amendments thereto, to-wit:

On page 5, line 3, after the word "their," insert the word "respective."

On same page last line, strike out the word "exclusive."

On page 6, line 1, strike out the words "such jurisdiction in misdemeanors as is provided by law," and insert the following: Concurrent jurisdiction with the Common Pleas, and Justices of the Peace in misdemeanors, except in those cases where the fine cannot exceed three dollars."

Also, that the Senate has passed engrossed House bill No. 278, with the following engrossed amendments thereto, to-wit:

Amend, the title by inserting after the word "thereof," the clause "and providing compensation therefor."

Also, engrossed House bill No. 279, entitled, a bill to amend sections nine and ten of an act entitled, "an act prescribing the powers and duties of Justices of the Peace in State prosecutions."

Also, engrossed House bill No. 189, entitled, "an act to amend section fifty-two of an act entitled, an act to amend an act to authorize and regulate the business of general banking," passed the House and Senate of the General Assembly, the Governor's objections thereto, notwithstanding, on the 3d day of March, 1853.

Also, engrossed House bill No. 253, entitled, "a bill to amend section eight of an act, entitled, an act to fix the time of holding the Common Pleas Courts in the several counties of this State, the duration of the terms thereof and making all process from the Common Pleas Courts, returnable to such terms, &c.

Also, engrossed House bill No. 254, entitled, "a bill to amend sections 5, 14 and 17, of an act, entitled, an act incorporating the town of Huntingdon," approved February 16, 1848.

Also, engrossed House bill No. 255, entitled, "a bill supplemental to an act, entitled, an act for the incorporation of insurance companies, defining their powers and prescribing their duties," approved March 17, 1852.

Also, engrossed House bill No. 256, entitled, "a bill for incorporating hydraulic companies, and defining their duties and powers."

Also, engrossed House bill No. 263, entitled, "a bill to provide by law, to prevent Conductors running railroad trains from obstructing any public highway or street, to the hindrance of travel and prescribing penalties therefor."

Also, engrossed House bill No. 276, entitled, "a bill to authorize county Auditors to issue fee-bills for the collection of costs accrued before county Commissioners, and the same are herewith returned."

Also, that the Senate has passed engrossed Senate bill No. 288, entitled, "a bill requiring the Clerk of the Circuit and Common Pleas Courts, to make indexes of their records and providing compensation therefor."

In which the concurrence of the House is respectfully requested.

I am further directed to inform the House that the President of the Senate has signed enrolled act No. 126, of the House of Representatives, and the same is herewith respectfully returned.

Which amendments were adopted.

Ordered, That the Clerk inform the Senate thereof.

Senate bill No. 216. A bill to repeal sections 43 and 44 of an act entitled "an act prescribing who may make a will; the effect thereof; what may be divised, regulating the revocation, admission to probate and contest thereof," approved May 31, 1852.

Was taken up, and read a third time.

The question being, shall said bill pass?

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Bonner, Boyd, Burton, Burwell, Buskirk, Caldwell, Chambers, Church, Coffroth, Cook, Cowgill, Cox, Croan, Crook, Ferris, Foulke, Gleason, Goodman, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, Humphreys, Hunt, James, Kilgore, Lane, Lockhart, Lopp, Major, Meredith, Miller, Milroy, Montgomery, McVey, Newcomb, O'Brien, Olleman, Patterson, Prather, Rhoads, Rice, Richards, Richardson, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Spencer, Stewart, Stenger, Stivers, Stringer, Stuckey, Thatcher, Trusler, Upson, Veach, Weikel, Welch, White, Woodruff, Wright, Zeigler and Mr. Speaker—76.

Those who voted in the negative were,

Messrs. Bird, Burnes, Collins, Davidson, Glazebrook, Lemon, Riford and Woods—8.

The question being, shall the title, as reported, stand as the title of said bill?

It was so ordered.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Rhoads from the Joint Committee on Enrolled Bills, made the following report:

MR. SPEAKER:

The Joint Committee on Enrolled Bills, respectfully report, to the House that they have carefully compared enrolled acts of the House of Representatives, Nos. 41, 86, 210 and 231, with the engrossed copies thereof, and instruct me to report the same in all particulars correctly and properly enrolled.

The Speaker announced that he had signed House bills Nos. 121 and 190.

Mr. Branham, from the Committee on Free Conference made the following report:

MR. SPEAKER:

The Committee of Conference to whom was referred House bill No. 285, with the engrossed amendments of the Senate thereto, respectfully report that they have had the same under consideration and recommend that all of said bill after the title of the same, be stricken out and the following amendment inserted in lieu thereof:

Section 1. "*Be it enacted by the General Assembly of the State of Indiana*, That for the purpose of securing the prompt payment of the interest accruing on the certificates of stock of the State of Indi-

ana, bearing five per cent and two and one half per cent per annum interest, issued by authority of an act of the General Assembly of the State of Indiana, entitled, "an act to provide for the funded debt of the State of Indiana, and for the completion of the Wabash and Erie Canal to Evansville," approved January 19, 1846, and an act supplemental thereto, approved January 27, 1847, and for the further purpose of securing the payment of the principal of said certificates of stock, except such as are held by the Sinking Fund Commissioners, at as early a day as practicable, there shall be levied, collected and paid into the State Treasury, in the same manner as other State taxes are levied, collected and paid over for the year 1866, and for each and every year thereafter, until the interest and principal of said certificates of stocks are fully paid, the sum of ten cents on each one hundred dollars valuation of the taxable property of this State, which revenue, when so collected together with all the money derived from the sale of the public works belonging to the State and the net annual income from all such public works, and all the moneys now belonging to the State Debt Sinking Fund and Sinking Fund proper, or that may hereafter from time to time come into said funds, and all the money and funds properly belonging to either of said funds, shall be denominated the State Debt Sinking Fund, and all such moneys are hereby set apart for the payment of such principal exclusively, and shall not, under any circumstances be drawn or paid out of the State Treasury for any other purpose whatever, and shall only be drawn or paid out of the State Treasury in payment of the principal of said certificate of stock in the manner in this act hereinafter prescribed, and it is hereby made the duty of the Auditor and Treasurer of State, upon the payment of any of the money arising from the provisions of this act into the State Treasury, to pass the same to the credit of this fund on the books of their respective offices.

Sec. 2. Within twenty days after the passage of this act, it shall be the duty of the Auditor, Treasurer and Agent of State to meet at the office of the Auditor of State, in the city of Indianapolis, and proceed to organize, and enter upon the discharge of the duties required of them by this act. They shall select, for their Clerk, the Clerk having charge of the bank department in the office of the Auditor of State, who shall discharge his duties, as such Clerk, in addition to the duties discharged by him as Clerk in said bank department; and they shall keep a full and complete record of all their

proceedings in a book to be provided for that purpose, and shall procure all books and stationery necessary in transacting the business required of them in a proper manner; and all their meetings shall be held at the office of the Auditor of State, in the city of Indianapolis, unless, in the opinion of the said Auditor, Treasurer and Agent of State, a special meeting may be deemed necessary to be held at some other place.

Sec. 3. The Auditor, Treasurer and Agent of State, shall in the first week in January in the year 1866, and the first week in January in every year thereafter until the War Loan Bonds are redeemed, notify the holders of such bonds that the Agent of State will be ready to pay the same to the extent of the amount of moneys on hand in the State Debt Sinking Fund, specially applicable by the law for the redemption of the War Loan Bonds on the first day of May succeeding such notice at their par value, and require the holders thereof to notify the Agent of State at his office in the city of New York, on or befere the twenty-fifth day of the succeeding March of their acceptance of such proposition to pay the principal, and that on failure to give the Agent of State such notice or acceptance then the moneys of said fund remaining after taking up so many of said bonds as the holders thereof shall have notified their acceptance of proposition, shall on the 1st day of May, of each year be used for the redemption of the certificates of stock contemplated by the provisions of this act, provided that nothing in this act shall be construed to embrace the War Bonds held by the Sinking Fund Commissioners.

Sec. 4. The Auditor, Treasurer and Agent of State, shall meet in the city of Indianapolis, on the first Wednesday of April, or as soon thereafter as practicable, in the year 1866, and on the first Wednesday of April, or as soon thereafter as practicable, in every year thereafter, until the whole of the interest and principal of the stocks mentioned in the first section of this act are paid, and proceed immediately to ascertain, as near as may be, the amount of money that will be in the Treasury on the fifteenth day of the succeeding June, subject by the provisions of this act to the payment of the interest and principal of said stocks, if any, they shall carefully determine what proportion or per centum of the principal of the certificates of stock mentioned in the first section of this act, the balance of the State Debt Sinking Fund in the Treasury will pay, and

they shall set apart the same, and said officers of State shall then immediately notify the holders of such certificates of stock, by publication in two daily newspapers published in the city of New York, and two daily newspapers published in the city of Indianapolis, for ten consecutive days, that they will pay pro rata, first to the holders of the two and one half per cent. certificates of stock the amount of money then on hand belonging to said fund, and after all of said two and one half per cent. stocks are fully redeemed, principal and interest, then to the holders of the five per cent. certificates of stock after they are surrendered at the office of the Agent of State in the city of New York, and the Agent of State shall require of all the holders of said stocks who desire to accept said proposition, or per centum of the principal, to notify him at his office in the city of New York, of such desire to accept on or before the 20th day of June then next, and that on failure to give such notice, the money will be apportioned and paid over to such holders as do give the Agent of State the required notice. In case there is not a sufficient amount of the certificates of stock offered for redemption to absorb such balance of the State Debt Sinking Fund then on hand and set apart for such redemption of the principal of the certificates of stock, then, the Auditor, Treasurer and Agent of State, shall redeem any certificates of stock that may be offered until the State Debt Sinking Fund set apart as aforesaid shall be exhausted.

Sec. 5. That each and every person owning or holding any certificate of Stock shall, on the surrender of the same to the Agent of State, under the provisions of this act, receive a receipt from said Agent of State,for the amount of any unpaid balance of the principal of such certificate, the Agent of State keeping a record thereof, and said Agent shall immediately forward such surrendered certificate, together with a certified statement of the amount paid thereon, and the amounts remaining unpaid, to the Auditor of State, who shall cancel the said certificate of stock, and issue a new certificate for such unpaid balance on the said certificate of stocks so cancelled, which new certificate of stock shall be signed, returned to the Agent of State and registered in all respects as is required by an act of the General Assembly of the State of Indiana, in relation to the transfer of stocks, entitled, "an act to provide for the transferring of the certificates of the stocks of the State of Indiana, providing for the registry of the same, and prevent a fraudulent issue thereof, and providing a pun-

ishment for violation of the provisions of this act," approved March 5, 1859. The Auditor of State shall carefully register the said canceled certificates of stock in like manner as is required of the Agent of State, and preserve them until the next meeting of the General Assembly, when the Committee on Ways and Means of the House of Representatives, and the Committee on Finance of the Senate shall carefully compare the canceled certificates of stock with the register of certificates of stock issued, and if found correct, cause said canceled certificates of stock to be burned up in the presence of the committees and the Auditor and Treasurer of State. An entry of such examination and burning shall be made on the register of the issue of said certificates of stock in the Auditor's office, and signed by the members of the committee present. When a part of the principal of a certificate of stock is paid, and a certificate of stock is issued for the unpaid balance, the Agent of State shall enter in proper columns in his register, the number and amount, and to whom issued, and date of issue; and in a column of remarks he shall state that the new certificate was given for the unpaid balance of a surrendered certificate, giving the number of the certificate surrendered, and the number of the new certificate. The Agent of State shall transmit to the Auditor of State, on or before the first Wednesday in each month, a certified copy of his registry of such new certificates of stock in his office, stating their delivery or non-delivery.

Sec. 6 The books and papers of the Auditor, Treasurer and Agent of State, relating to the State Debt Sinking Fund, shall be kept in the office of the Auditor of State, and shall be subject to an inspection and examination at any time, by a committee of the General Assembly, or either branch thereof, or by the Governor of the State, or by any person or persons he may appoint and commission for that purpose. Reports of all such examinations shall be made in writing, showing the condition of the books, the amount of the State Debt Sinking Fund in the Treasury, and especially whether any portion of said State Sinking Fund has been paid out in violation of the provisions of this Act. Said report or reports shall be made to the Governor by persons appointed and commissioned by him for such purpose, and the Governor shall lay such report or reports before the General Assembly, if in session at the time; if not, at the next session thereof.

Sec. 7. The Board of Sinking Fund Commissioners, and all the officers connected therewith, are hereby abolished, from and after the 26th day of January, 1867, and all the property of whatever kind, both real and personal, belonging to said fund, are hereby directed to be sold on such terms, in such manner, and at such time as the said Sinking Fund Commissioners during their continuance in office, and thereafter, as the Governor, Auditor, Secretary, and Treasurer of State shall deem for the best interest of said fund, and the moneys arising therefrom shall be invested in said stocks of the State, as in this act provided, and after the 26th day of January, 1867, the Board of Sinking Fund Commissioners shall surrender to the Auditor of State all the books and papers, stocks, bonds, mortgages, moneys, rights, credits and effects belonging to said fund, who shall provide a suitable place for their safe keeping. From and after the last mentioned date, it shall be the duty of the Governor, Auditor, Secretary and Treasurer of State to invest all the moneys arising from mortgaged premises or other sources belonging to said fund, as fast as they are due and collected in the said five and two and one-half per cent. stocks of the State.

Sec. 8. It is hereby made the duty of the Auditor, on the first day of July and January of each year, to issue his warrant to the Treasurer of State for the amount of interest due said Sinking Fund on State Stocks held by said fund, and deliver the same to said Treasurer, taking his receipt for the amount of said warrant, and the said Treasurer shall then proceed to place to the credit of the school fund, for the use of said fund, an amount of money equal in amount to said warront, and which shall be distributed in accordance with the law, and for the perpetual preservation of the principal of said school and other trust funds, and for the punctual payment of the semi-annual interest accruing thereon, for the purposes contemplated in the creation of said funds, the faith of the State is hereby ir revocably pledged.

Sec. 9. At some convenient period, not exceeding fifteen days before the first days of July and Sanuary in each year, the Auditor of State shall draw his warrant on the Treasurer of State, requiring the Treasurer to transmit and pay into the hands of the Agent of State in the city of New York, such sums of money belonging to the general fund in the Treasuro, as may be necessary to pay the interest on the certificates of stock mentioned in this act, and also a like warrant for the amount of the per centum on the principal of the certificates of stock by them determined to be paid in pursuance of the

provisions of this act, payable out of the State Debt Sinking Fund, and shall deliver the warrants to the Treasurer of State, who shall at once transmit the money to the Agent of State in the city of New York. The said agent shall immediately, on receiving the money, enclose the Treasurer of State a receipt therefor: *Provided* that no more money shall be drawn for, and transmitted to the Agent of State at any one time, than a sum sufficient to meet the aggregate amount of the interest then about to become due on the certificates of stock mentioned in this act, and the proportion or per centum of the principal of the certificates of stock determined to be paid, under the provisions of this act.

Sec. .10 All necessary expenses incurred by the Auditor, Treasurer and Agent of State, in the purchase of books, stationary, exchange, and necessary traveling expenses, publishing notices, and other incidentals, shall, upon a succinct statement or statements being made in writing and approved by the Governor, together with the salary and expenses of the Agent of State now provided for by law, and the salary of the clerk of the said State Debt Sinking Fund, shall be paid out of the general fund provided for defraying the expenses of the State Government.

Sec. 11. The clerk of the State Debt Sinking Fund shall receive for his services the sum of five hundred dollars per annum, payable quarterly.

Sec. 12. If any officer of the State, or other person or persons shall hinder or attempt to hinder, obstruct, or attempt to obstruct any inspection or examination of the books and papers of the Auditor, Treasurer and Agent of State, relating to the State Debt Sinking Fund, or of the condition, character and amount of the State Debt Sinking Fund by committees, or persons authorized by this act to make such inspection or examination, he or they so offending shall be deemed guilty of a misdemeanor, and upon conviction thereof, by a court of competent jurisdiction, shall be fined in any sum not less than one hundred dollars, nor more than one thousand dollars, and imprisoned in the county jail of the proper county, not lees than three, nor more than twelve months, at the discretion of the court or jury trying the cause. All laws and parts of laws coming in conflict with the provisions of this act are hereby repealed.

Sec. 13. As soon as all the certificates of stocks of this State are redeemed and cancelled, the State agency in the city of New York shall be

abolished, and all the books and papers belonging to said agency shall be sent to, and deposited in the office of the Auditor of State by said agent, and all the furniture belonging to said agency, shall be sold by said agent, and the monies arising therefrom deposited in the office of the Treasurer of State, to the credit of the State Debt Sinking Fund.

SEC. 14. It is believed by this General Assembly, that it is highly important for the best interests of the State that this act should now be in force. It is therefore hereby declared that an emergency exists for the immediate taking effect of this act; it shall therefore be in force from and after its passage and filing in the office of the Secretary of State.

The amendments were read, and, the question being, shall the report be concurred in and the amendments adopted?

Mr. Branham moved the previous question.

Which was seconded by the House.

The question being, shall the main question be now put?

Messrs. Burwell and Brown demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Atkinson, Bonner, Boyd, Branham, Brown, Burnes, Caldwell, Chambers, Church, Cook, Cowgill, Cox, Croan, Crook, Davidson, Ferris, Foulke, Gleason, Goodman, Gregory of Montgomery, Gregory Warren, Griffith, Groves, Hamrick, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, James, Lane, Litson, Lockhart, Major, Meredith, Montgomery, McVey, Newcomb, Pinney, Prather, Reese, Rhoads, Rice, Riford, Sabin, Shuey, Sim, Stewart, Stenger, Stivers, Stringer, Trusler, Welch, Woodruff, Wright, Woods, Zeigler and Mr. Speaker—59.

Those who voted in the negative were,

Messrs. Burton, Burwell, Coffroth, Collins, Glazebrook, Hargrove, Howard, Humphreys, Hunt, Kilgore, Lemon, Lopp, Milroy, O'Brien,

Osborn, Perigo, Richards, Richardson, Roach, Shoaff of Allen, Shoaff of Jay, Sullivan of Scott, Thatcher, Veach, Weikel and White—26.

So the main question was ordered.

The question being, shall the report of said Commsttee on Free Conference be concurred in?

Mr. Coffroth moved that the House do now adjourn till 7 o'clock this evening.

Messrs. Coffroth, Milroy, Burton, Bird, Burwell, Shoaff of Jay, Lopp, Thatcher, Collins and Glazebrook, demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Bird, Burton, Coffroth, Collins, Glazebrook, Lemon, Lopp, Milroy, Shoaff of Allen, and Thatcher—10.

Those who voted in the negative were,

Messrs. Abbett, Atkinson, Bonner, Boyd, Brown, Burnes, Buskirk, Caldwell, Chambers, Church, Cook, Cowgill, Cox, Croan, Crook, Davidson, Ferris, Foulke, Gleason, Goodman, Gregory of Montgomery, Gregory of Warren, Griffith, Hamrick, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, Hunt, James, Kilgore, Lane, Litson, Lockhart, Major, Meredith, Miller, Montgomery, McVey, Newcomb, O'Brien, Olleman, Osborn, Patterson, Perigo, Pinney, Prather, Reese, Rhoads, Rice, Richards, Richardson, Riford, Roach, Sabin, Shoaff of Jay, Shuey, Sim, Stewart, Stenger, Stivers, Stringer, Stuckey, Sullivan of Scott, Trusler, Upson, Veach, Weikel, Welch, White, Woodruff, Wright, Woods, Zeigler and Mr. Speaker—78.

So the House refused to adjourn.

The question being on concurring in the report of the Committee on Free Conference,

Mr. Branham moved to postpone the further consideration of said bill till 7 o'clock this evening, and make it the special order for the day for that hour.

Which was agreed to.

A message from the Senate, by Mr. Wilson, their Secretary.

MR. SPEAKER:

I am directed by the President of the Senate to inform the House of Representatives that the Senate has passed engrossed House bill No. 68, entitled "a bill authorizing Boards of County Commissioners in this State to make donations and receive subscriptions for the purpose of erecting a monument to the memory of those from their several counties who have lost their lives, and who may lose their lives in the present war for the restoration of the Union."

I am further directed to inform the House that the President of the Senate has signed enrolled acts Nos. 79 and 84, of the House of Representatives, and the same are herewith respectfully returned.

Message from the Senate by Mr. Wilson their Secretary:

MR. SPEAKER:

I am directed by the President of the Senate to inform the House of Representatives that he has signed enrolled acts Nos. 41, 86, 121, 196, 210 and 231 of the House of Representatives, and the same are herewith respectfully returned.

Mr. Montgomery, from the Joint Committee on Enrolled Bills, made the following report:

MR SPEAKER:

The Joint Committee on Enrolled Bills would respectfully report that they have carefully compared Enrolled Acts of the House Nos. 121 and 196 with the engrossed copies thereof, and find that the same are in all respects correctly enrolled.

Senate bill No. 223. A bill to authorize married women under the age of twenty-one years to join in the conveyance of real estate in certain cases, and to repeal all laws inconsistent therewith.

Was taken up and read a third time.

The question being, shall said bill pass?

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Bonner, Boyd, Branham, Brown,

Burnes, Burton, Caldwell, Chambers, Church, Coffroth, Cook, Cowgill, Cox, Davidson, Ferris, Foulke, Gleason, Gregory of Warren, Griffith, Groves, Hamrick, Harrison, Higgins, Hoover, Howard, Humphreys, Hunt, Lane, Lasselle, Lemon, Lockhart, Major, Meredith, Miller, Milroy, Olleman, Pinney, Reese, Roach, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Stewart, Stenger, Stivers, Stringer, Stuckey, Trusler, Upson, Veach, Welch, White, Woodruff, Woods, Zeigler and Mr. Speaker—59.

Those who voted in the negative were,

Messrs. Bird, Burwell, Collins, Glazebrook, Hargrove, Hershey James, Lopp, Montgomery, McVey, Newcomb, Osborn, Patterson, Prather, Rice, Richards, Richardson, Sabin, Sullivan of Scott and Weikel—20.

So the bill passed.

The question being, shall the title as read, stand as the title of said bill?.

It was so ordered.

Ordered, That the Clerk inform the Senate thereof.

Mr. Humphreys, from the Joint Committee on Enrolled Bills, made the following report:

Mr. Speaker:

The Joint Committee on Enrolled Bills now report that they did, on the 20th day of December, 1865, present to his Excellency, Conrad Baker, acting Governor of the State, for his approval and signature, House bill No. 126.

Mr. Rhoads, from the Committee on Enrolled Bills, made the following report:

Mr. Speaker:

The Joint Committee on Enrolled Bills respectfully report that, on Monday, December 20, 1865, 3½ o'clock, P. M., they presented to his Excellency, the acting Governor, of the State, for his approval and signature, Enrolled Acts of the House Nos. 79 and 84.

Mr. Brown moved that when the House adjourns, it meet again at 7 o'clock this evening.

Which was agreed to.

Senate bill No. 281. A bill to amend an act entitled "an act to fix the amount of the salary of the State Librarian, and repealing all former laws conflicting therewith, and to dispense with an Assistant Librarian and Clerk," approved March 4, 1859.

Was taken up, and read a third time with the amendments heretofore reported, and adopted.

The question being, shall said bill pass?

Those who voted in the affirmative were,

Messrs. Atkinson, Bonner, Boyd, Branham, Burnes, Buskirk, Chambers, Church, Cook, Cowgill, Cox, Crook, Davidson, Ferris, Foulke, Gleason, Goodman, Gregory of Warren, Griffith, Groves, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Kilgore, Lasselle, Litson, Lockhart, Major, Meredith, Montgomery, McVey, Newcomb, Olleman, Pinney, Reese, Rhoads, Rice, Riford, Roach, Sabin, Shoaff of Allen, Shuey, Sim, Stewart, Stenger, Stivers, Trusler, Upson, Veach, White, Woodruff, Wright, Woods, Zeigler and Mr. Speaker—58.

Those who voted in the negative were,

Messrs. Bird, Burton, Burwell, Collins, Glazebrook, Gregg, Hamrick, Hargrove, Humphreys, James, Lane, Lemon, Lopp, Miller, Milroy, Osborn, Patterson, Perigo, Prather, Richards, Richardson, Shoaff of Jay, Stringer, Sullivan of Scott, Weikel and Welch—26.

So the bill passed.

The question being, shall the title, as read, stand as the title of said bill?

Mr. Boyd, moved to amend said title as follows:

"Insert after the words 'State Librarian,' the following words: 'and also increasing the powers and duties of the State Librarian.'"

The amendment was agreed to.

And the title as amended was agreed to.

Ordered, That the Clerk inform the Senate thereof.

Mr. Rhoads, from the Joint Committee on Enrolled Bills, made the following report:

MR. SPEAKER:

The Joint Committee on Enrolled Bills, respectfully report that they have examined enrolled acts of the House of Representatives Nos. 88, 270 and 276, and Enrolled Joint Resolution thereof, No. 20, and have compared the same with the engrossed copies thereof, and instruct me to report the said acts and Joint Resolution properly and correctly enrolled.

Mr. Rhoads, from the Joint Committee on Enrolled Bills, made the following report:

MR. SPEAKER:

The Joint Committee on Enrolled Bills, respectfully report, that on Wednesday December 20th, 1865, at 4¼ o'clock P. M., they presented to his Excellency the Acting Governor of the State, for his approval and signature, Enrolled House Bills Nos. 41, 86, 121, 196, 210 and 231.

Senate bill No. 233. A bill to enable any child heretofore adopted, or which may hereafter be adopted, by any person under the laws of any State of the United States, to take and hold real estate in this State, as if the child had been adopted under the laws or within the State of Indiana.

Was read a third time.

The question being, shall said bill pass?

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Bird, Bonner, Boyd, Branham, Brown, Burnes, Burton, Burwell, Buskirk, Chambers, Church, Coffroth, Collins, Cook, Cowgill, Croan, Crook, Davidson, Ferris, Foulke, Glazebrook, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Hamrick, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, Humphreys, James, Kilgore, Lane, Lasselle, Lemon, Litson, Lockhart, Lopp, Major, Meredith, Miller, Milroy, Montgomery, McVey, Newcomb, Olleman, Osborn, Patterson, Pinney, Prather, Reese, Rhoads, Richards, Richardson, Riford, Roach, Sabin, Shoaff of Jay, Shuey, Sim, Stuart, Stenger, Stringer, Stuckey, Sullivan of

Scott, Thatcher, Upson, Veach, Weikel, Welch, White, Wright, Woods, Zeigler and Mr. Speaker—82.

None voting in the negative.

So the bill passed.

The question being, shall the title as reported stand as the title of said bill?

It was so ordered.

Ordered, That the Clerk inform the Senate thereof.

Mr. Higgins, moved to take up Senate bills Nos. 114 and 199.

Which was agreed to.

Senate bill No. 114. A bill to amend section 38 of an act entitled "an act to provide for the incorporation of railroad companies," approved May 11, 1852.

Was taken up and read a third time.

The question being, shall said bill pass?

Those who voted in the affirmative were,

Messrs. Abett, Atkinson, Bird, Bonner, Branham, Brown, Burnes, Burton, Burwell, Buskirk, Chambers, Church, Cowgill, Collins, Cox, Croan, Crook, Davidson, Ferris, Foulke, Glazebrook, Gleason, Goodman, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, Humphreys, James, Kilgore, Lane, Lasselle, Lemon, Litson, Lockhart, Lopp, Major, Meredith, Miller, Montgomery, McVey, Newcomb, Olleman, Osborn, Perigo, Pinney, Prather, Reese, Rhoads, Rice, Riford, Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Stuart, Stenger, Stringer, Stuckey, Sullivan of Scott, Thatcher, Trusler, Upson, Weikel, Welch, White, Woodruff, Woods, Zeigler and Mr. Speaker—81.

Those who voted in the negative were,

Messrs. Richards and Richardson—2.

So the bill passed.

The question being, shall the title, as reported, stand as the title said bill?

It was so ordered.

Ordered, That the Clerk inform the Senate thereof.

The Speaker announced that he had signed House bills Nos. 270, 276, 88, and Joint Resolution No. 20.

Engressed Senate bill No. 199. An act to amend "an act to incorporate the Indianapolis Insurance Company," approved February 8th, 1836.

Was taken up, and read a third time.

The question being, shall said bill pass?

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Bird, Bonner, Boyd, Branham, Brown, Burnes, Burton, Burwell, Buskirk, Caldwell, Chambers, Church, Cofroth, Cook, Croan, Crook, Davidson, Dunham, Ferris, Foulke, Gleason, Goodman, Gregg, Gregory of Warren, Griffith, Groves, Hamrick, Hargrove, Harrison, Henricks, Hogate, Hoover, Howard, Humphreys, Hunt, James, Kilgore, Lane, Lasselle, Lee, Litson, Major, Meredith, Miller, Montgomery, McVey, Newcomb, Olleman, Osborn, Patterson, Perigo, Pinney, Reese, Rhoads, Rice, Richards, Richardson, Riford, Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Stenger, Stivers, Stringer, Stuckey, Thatcher, Trusler, Upson, Veach, Weikel, Welch, Woodruff, Wright, Zeigler and Mr. Speaker—80.

Those who voted in the negative were,

Messrs. Collins, Cowgill, Cox, Glazebrook, Hershey, Lemon, Prather, Sim, Sullivan of Scott, White and Woods—11.

So the bill passed.

The question being, shall the title as reported, stand as the title of said bill?

It was so ordered.

Ordered, That the Clerk inform the Senate thereof.

Mr. Shoaff, of Allen, moved to suspend the order of business and take up House bill No. 320.

Which was agreed to.

House bill No. 320. A bill to regulate swing bridges across the several canals, feeders, rivers and streams in this State, and prescribing a penalty for injuring the same or interrupting the free passage thereof, and matters properly connected therewith, and declaring an emergency,

Was taken up.

Mr. Shoaff, of Allen, moved that it be deemed expedient to suspend the constitutional rule requiring bills to be read on three several days, by sections, and read said bill a second time by title, and a third time by sections, now.

The ayes and noes were taken under the Constitution.

Those who voted in the affirmative were,

Messrs. Atkinson, Bird, Boyd, Branham, Brown, Burnes, Burton, Burwell, Chambers, Church, Coffroth, Cook, Cowgill, Croan, Crook, Davidson, Ferris, Gleason, Goodman, Gregg, Gregory of Warren, Griffith, Groves, Hamrick, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, Humphreys, James, Lane, Lasselle, Lemon, Litson, Major, Meredith, Miller, Newcomb, Olleman, Osborn, Perigo, Prather, Reese, Rhoads, Rice, Riford, Richardson, Roach, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Stenger, Stivers, Stuckey, Thatcher, Trusler, Upson, Veach, Weikel, Woodruff, Woods, Zeigler and Mr. Speaker—68.

Those who voted in the negative were,

Messrs. Montgomery, Richards, Sabin, Stringer and Wright—5.

So it was deemed expedient to suspend said constitutional rule, and said bill was read a second time by title, and ordered to be engrossed and read a third time.

House bill No. 320 was read a third time.

The question being, shall said bill pass?

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Bird, Bonner, Boyd, Brown, Burnes, Burwell, Buskirk, Caldwell, Chambers, Coffroth, Collins, Cook, Cowgill, Cox, Croan, Crook, Davidson, Ferris, Glazebrook, Gleason, Goodman, Gregg, Gregory of Warren, Griffith, Groves, Hargrove,

Hershey, Hogate, Hoover, Howard, Humphreys, Hunt, Lane, Lasselle, Litson, Lopp, Major, Meredith, Miller, Montgomery, McVey, Newcomb, Olleman, Osborn, Pinney, Reese, Rhoads, Rice, Richards, Riford, Roach, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Stenger, Stivers, Stuckey, Thatcher, Trusler, Upson, Veach, Weikel, Welch, White, Wright, Woods, Zeigler and Mr. Speaker—71.

Those who voted in the negative were,

Messrs. Lemon, Prather, Richardson, Sabin and Stringer—5.

So the bill passed.

The question being, shall the title, as reported, stand as the title of said bill?

It was so ordered.

Ordered, That the Clerk inform the Senate thereof.

Message from the Senate, by Mr. Wilson, their Secretary.

Mr. Speaker:

I am directed by the President of the Senate to inform the House of Representatives that the Senate has concurred in the report of the Committee of Conference upon Senate bill No. 198.

I am further directed to inform the House that the President of the Senate has signed enrolled acts Nos. 88, 270 and 276, and Joint Resolution No. 20, of the House, and the same are herewith respectfully returned.

Also, that the President of the Senate has signed enrolled acts Nos. 196 and 314, of the Senate, to which the signature of the Speaker of the House of Representatives is respectfully requested.

Also, that the Senate has passed engrossed House bill No. 123, entitled "a bill to declare forfeited the right of way of certain railroad companies to branch roads, no part of which has been completed, and upon which no work has been done for ten years, and declaring the rights of way aforesaid shall revert to the land owners along the route thereof."

A message from the Senate, by Mr. Wilson, their Secretary.

Mr Speaker:

I am directed by the President of the Senate to inform the House of Representatives that the Senate has passed engrossed Senate bill No. 40, entitled "an act to establish an Agricultural College, wherein shall be taught such branches of learning as are related to Agriculture, including the Mechanic Arts and Military Tactics; also, such other branches of Science and Literature as the General Assembly or the Trustees may direct, and provide a Board of Trustees for its management."

In which the concurrence of the House is respectfully requested.

Mr. White moved to suspend the order of business, and take up Senate bill No. 187.

Which was agreed to.

Senate bill No. 187. A bill to amend sections 3 and 53, of an act entitled "an act to reduce the law incorporating the City of Madison, and the several acts amendatory thereto, into one act, and to amend the same," approved February 4, 1848, and declaring an amergency.

Was taken up and read a third time.

The question being, shall said bill pass?

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Branham, Brown, Burnes, Burwell, Buskirk, Chambers, Church, Coffroth, Collins, Cook, Cowgill, Cox, Croan, Davidson, Ferris, Foulke, Gleason, Goodman, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, Humphreys, Hunt, James, Kilgore, Lasselle, Litson, Lopp, Miller, Montgomery, McVey, Newcomb, Olleman, Osborn, Perigo, Pinney, Prather, Reese, Rhoads, Rice, Riford, Roach, Shuey, Sim. Stivers, Stringer, Stuckey, Trusler, Upson, Veach, White, Woodruff, Wright, Woods, Zeigler and Mr. Speaker—70.

Those who voted in the negative were,

Messrs. Bird, Richardson, Sabin, Shoaff of Allen, Sullivan of Scott, Thatcher and Weikel—6.

So the bill passed.

The question being, shall the title as reported, stand as the title of said bill?

It was so ordered.

Ordered, That the Clerk inform the Senate thereof.

Mr. Henricks, from the Joint Committee of Free Conference on House bill No. 198, made the following report:

Mr. Speaker:

The Committee of Conference on Senate bill No. 198, with the amendments of the House to the same, it being the second amendment of the House to said bill, have agreed upon the following basis of settlement of the differences between the Senate and the House:

"Strike out of the fourth line of the record amendment the word 'seven,' and insert in lieu thereof the word 'five.'

And when so amended, recommend that the House concur therein.

On motion by Mr. Newcomb,

The report was concurred in.

Ordered, That the Clerk inform the Senate thereof.

Mr. Major moved to suspend the order of business, and take up Senate bill No. 206.

Which was agreed to.

Engrossed Senate bill No. 206. A bill supplemental to an act entitled "an act to authorize, regulate and confirm the sale of railroads, to enable purchasers of the same to form corporations and exercise corporate powers, and to define their rights, powers and privileges; to enable such corporations to purchase and construct connecting and branch roads, and to operate and maintain the same," approved March 3, 1865, and for the purpose of making the same more definite and certain.

Was taken up and read a third time.

The question being shall said bill pass?

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Bird, Bonner, Branham, Brown, Burnes,

Burton, Burwell, Buskirk, Caldwell, Chambers, Church, Coffroth, Collins, Cook, Cowgill, Cox, Croan, Davidson, Ferris, Gleason, Goodman, Gregg, Griffith, Groves, Hamrick, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, Hunt, Humphreys, Lasselle, Lemon, Litson, Lockhart, Major, Meredith, Montgomery, McVey, Newcomb, Olleman, Osborn, Perigo, Pinney, Reese, Rhoads, Rice, Richards, Riford, Richardson, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Stenger, Stivers, Stringer, Stuckey, Trusler, Upson, Welch, White, Woodruff, Wright, Woods, Zeigler and Mr. Spenker —74.

Those who voted in the negative were,

Messrs. Sullivan of Scott, and Thatcher—2.

So the bill passed.

The question being, shall the title, as reported, stand as the title of said bill?

It was so ordered.

Ordered, That the Clerk inform the Senate thereof.

Mr. Montgomery moved to suspend the order of business and take up Senate bill No. 284.

Which was agreed to.

Engrossed Senate bill No. 284. An act to prevent unauthorized printing at the expense of the State,

Was taken up and read a third time.

The question being, shall said bill?

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Bird, Bonner, Boyd, Branham, Burnes, Burton, Burwell, Buskirk, Chambers, Church, Collins, Cook, Cowgill, Cox, Croan, Davidson, Ferris, Foulke, Gleason, Gregory of Warren, Griffith, Groves, Hamrick, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Humphreys, Hunt, Kilgore, Lane, Lasselle, Lemon, Litson, Lockhart, Lopp, Major, Miller, Montgomery, McVey, Newcomb, Olleman, Osborn, Patterson, Perigo, Pinney, Prather, Reese, Rhoads, Rice, Richardson, Riford, Roach, Sabin, Shoaff of Allen, Shuey, Sim, Stenger, Stivers, Stringer, Stuckey,

Sullivan of Scott, Thatcher, Trusler, Upson, Welch, White, Woodruff, Wright, Woods, Zeigler and Mr. Speaker—77.

None voting in the negative.

So the bill passed.

The question being, shall the title, as reported, stand as the title of said bill?

It was so ordered.

Ordered, That the Clerk inform the Senate thereof.

Mr. Burwell moved to suspend the order of business and take up Senate bill No. 140.

Which was not agreed to.

The Speaker announced that he had signed House bills Nos. 314 and 196.

On motion by Mr. Collins,

The House adjourned till 7 o'clock P. M.

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7 O'CLOCK, P. M.

House met.

On motion by Mr. Branham,

The roll was called, and the following gentlemen answered to their names:

Messrs. Abbett, Atkinson, Bird, Bonner, Boyd, Branham, Brown, Burnes, Burwell, Buskirk, Caldwell, Church, Coffroth, Collins, Cowgill, Cox, Croan, Davidson, Dunham, Ferris, Foulke, Gleason, Goodman, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, Humphreys, Hunt, Kilgore, Lane, Lemon, Litson, Lockhart, Lopp, Major, Meredith, Miller, Montgomery, McVey, Newcomb, Olleman, Osborn, Perigo, Pinney, Prather, Reese, Rhoads, Richard-

son, Riford, Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Stewart, Stivers, Stringer, Stuckey, Thatcher, Trussler, Upson, Veach, Weikel, Welch, White, Woodruff, Wright, Woods, Zeigler and Mr. Speaker—80.

A quorum being present, a further call was dispensed with.

SPECIAL ORDER.

The hour having arrived for the consideration of the report of the Committee of Free Conference on House bill No. 285.

The pending question, on the adjournment, was the motion to concur in the report of said committee.

The main question having been ordered,

Messrs. Newcomb and Thatcher demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Atkinson, Bonner, Boyd, Branham, Brown, Burnes, Caldwell, Chambers, Church, Cook, Cowgill, Cox, Crook, Davidson, Dunham, Ferris, Foulke, Glazebrook, Gleason, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Henricks, Hershey, Higgins, Hogate, Hoover, Kilgore, Lane, Lemon, Litson, Lockhart, Lopp, Major, Meredith, Miller, Montgomery, McVey, Newcomb, Olleman, Osborne, Pinney, Prather, Reese, Rhoads, Rice, Richardson, Riford, Sabin, Shuey, Sim, Stewart, Stivers, Stuckey, Trusler, Upson, Veach, Welch, Woodruff, Wright, Woods, Zeigler and Mr. Speaker—65.

Those who voted in the negative were,

Messrs. Abbett, Bird, Burton, Burwell, Buskirk, Coffroth, Collins, Croan, Gregg, Hargrove, Harrison, Howard, Humphreys, Hunt, Milroy, O'Brien, Patterson, Perigo, Roach, Shoaff of Allen, Shoaff of Jay, Spencer, Stringer, Sullivan of Scott, Thatcher, Weikel and White—26.

So the report of the committee was concurred in.

Ordered, That the Clerk inform the Senate thereof.

Mr. Branham, from said joint Committee of Free Conference, reported the following as the title to said House bill No. 285, as agreed upon by said joint committee.

A bill to provide a State Debt Sinking Fund for the payment of the principal and interest of the five and two and one-half per cent. stocks of the State therein named, and giving priority of payment to the holders of the two and one-half per cent. stocks of the State of Indiana, prescribing the duties of the Auditor, Treasurer and Agent of State in relation thereto, providing for a clerk of said State Debt Sinking Fund, and fixing his salary, and providing a penalty for the violation of its provisions, abolishing the Board of Sinking Fund Commissioners and all offices connected therewith, the office of the Agent of State in the city of New York, to invest the moneys belonging to the Sinking Fund, in the stocks of the State, transferring the business of said Board of Sinking Fund Commissioners to the Auditor and Treasurer of State, providing that the tax therein levied, shall be taken and considered as a part of the tax levied under an act entitled, "an act to raise revenue for State purposes, for the year one thousand eight hundred and sixty-five, and one thousand eight hundred and sixty-six," approved March 2, 1865; and declaring an emergency for the immediate taking effect of this act.

The question being, shall the title as reported by said Committee of Free Conference, stand as the title of said bill?

It was so ordered.

Ordered, That the Clerk inform the Senate thereof.

Mr. Brown moved to reconsider the vote whereby said bill was passed, and lay that motion on the table.

Which was agreed to.

A message from the Senate by Mr. Wilson their Secretary.

Mr. Speaker:

I am directed by the President of the Senate to inform the House of Representatives that the Senate has concurred in engrossed House amendments to engrossed Senate bill No. 281.

I am further directed to inform the House that the President of the Senate has signed enrolled acts Nos. 68, 117 and 256 of the House of Representatives, and the same are herewith respectfully returned.

I am also directed to inform the House that the President of th

Senate has signed enrolled act No. 103 of Senate, to which the signature of the Speaker of the House is respectfully asked.

Also, that the Senate has passed concurrent resolution No. 20, concerning the Terre Haute & Richmond railroad.

Message from the Senate, by Mr. Wilson, their Secretary.

MR. SPEAKER:

I am directed by the President of the Senate to inform the House of Representatives that the Senate has passed the following engrossed House bills, to-wit:

Engrossed House bill No. 95, entitled, "a bill to enable railroads to make local alterations in their lines in certain cases."

Also, engrossed House bill No. 164, entitled, "a bill to provide for locating and working highways situated upon, contiguous to, or near by county lines."

Also, engrossed House bill No. 207, with the following engrossed Senate amendment thereto:

"To amend by adding an emergency clause."

The Speaker announced that he had signed House bills No. 117, 68, 103 and 256.

Mr. Rhoads, from the Committee on Enrolled Bills, made the following report:

MR. SPEAKER:

The Joint Committee on Enrolled Bills, respectfully report that they have examined enrolled acts Nos. 68, 117 and 256, of the House of Representatives, and have compared the same with engrossed copies thereof, and instruct me to report the said acts correctly enrolled.

Mr. Burwell moved to suspend the order of business, and take up Senate bill No. 140.

Which was agreed to.

Senate bill No. 140. A bill to amend section 8 of an act entitled "an act dividing the State into counties, defining their boundaries,

and defining the jurisdiction of such as border on the Ohio and Wabash rivers," approved June 7, 1852.

Was taken up.

Mr. Burwell moved that it be deemed expedient to suspend the constitutional rule requiring bills to be read on three several days by sections, and read said bill the second time by title, and a third time by sections, now.

The ayes and noes were taken under the Constitution.

Those who voted in the affirmative were,

Messrs. Atkinson, Bird, Bonner, Burnes, Burwell, Burton, Buskirk, Caldwell, Chambers, Church, Coffroth, Collins, Cook, Cowgill, Cox, Croan, Crook, Davidson, Dunham, Ferris, Foulke, Glazebrook, Goodman, Gregory of Montgomery, Gregory of Warren, Griffith, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, Humphreys, Hunt, Kilgore, Lemon, Lockhart, Lopp, Meredith, Miller, Milroy, Montgomery, McVey, O'Brien, Olleman, Osborn, Perigo, Pinney, Prather, Reese, Rhoads, Rice, Richardson, Riford, Roach, Sabin, Shoaff of Allen, Shuey, Sim, Spencer, Stewart, Stivers, Stuckey, Thatcher, Trusler, Veach, Weikel, Welch, Woodruff, Wright and Woods—72.

Those who voted in the negative were,

Messrs. Abbett, Gregg, Lasselle, Major, Shoaff of Jay, and Sullivan of Scott—6.

So it was deemed expedient to suspend said constitutional rule, and said bill was read a second time by its title, and a third time by sections.

The question being, shall said bill pass?

Those who voted in the affirmative were,

Messrs. Atkinson, Burnes, Burwell, Buskirk, Chambers, Church, Cook, Cowgill, Cox, Davidson, Foulke, Gleason, Goodman, Gregory of Warren, Hogate, Hoover, Kilgore, Lopp, Meredith, Miller, Montgomery, Newcomb, Prather, Rice, Riford, Sabin, Sim, Stivers, Stuckey, Trusler and Woodruff—34.

Those who voted in the negative were,

Messrs. Bird, Bonner, Boyd, Brown, Burton, Caldwell, Coffroth, Collins, Croan, Crook, Dunham, Ferris, Glazebrook, Gregg, Griffith, Groves, Hargrove, Harrison, Henricks, Hershey, Higgins, Howard, Humphreys, Hunt, Lane, Lasselle, Lemon, Lockhart, Major, Milroy, McVey, O'Brien, Olleman, Osborn, Patterson, Perigo, Pinney, Reese, Rhoads, Richardson, Roach, Shoaff of Allen, Shoaff of Jay, Shuey, Spencer, Stenger, Stringer, Sullivan of Scott, Thatcher, Upson, Veach, Weikel, Welch, White, Wright, Woods and Zeigler—57.

So the bill was lost.

Mr. Riford moved to suspend the order of business, and take up Senate bill No. 249.

Which was agreed to.

Senate bill No. 249. A bill defining the powers of companies organized to constauct canals for hydraulic purposes.

Was taken up and read a third time.

The question being, shall said bill pass?

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Bird, Boyd, Branham, Brown, Burnes, Burton, Burwell, Buskirk, Caldwell, Chambers, Church, Collins, Cox, Cook, Croan, Davidson, Ferris, Foulke, Gleason, Goodman, Gregg, Gregory of Warren, Griffith, Hargrove, Harrison, Henricks, Higgins, Hogate, Hoover, Howard, Humphreys, Lane, Lasselle, Lemon, Lockhart, Lopp, Major, Meredith, Miller, Montgomery, Newcomb, Olleman, Osborn, Perigo, Pinney, Rhoads, Richardson, Riford, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Spencer, Stewart, Stenger, Stivers, Stuckey, Sullivan of Scott, Thatcher, Trusler, Upson, Veach, Weikel, Welch, White, Woodruff, Wright, Woods and Mr. Speaker—72.

Those who voted in the negative were,

Messrs. Cowgill, Glazebrook, Groves, Hershey, Hunt, Kilgore, Prather, Stringer and Zeigler—9.

So the bill passed.

The question being, shall the title, as read, stand as the title of said bill?

It was so ordered.

Ordered, That the Clerk inform the Senate thereof.

Mr. Coffroth moved to suspend the order of business, and take up Senate bill No. 303.

Which was agreed to.

On motion by Mr. Trusler,

House bill No. 207, and engrossed Senate amendments, were taken up.

House bill No. 207. A bill regulating foreign Insurance Companies doing business in this State, prescribing the duties of the agents thereof, and of the Auditor of State in connection therewith,

Was taken up, with the following engrossed Senate amendments:

Sec. 8. It is declared that an emergency exists for the immediate taking effect of this act, therefore the same shall be in force from and after its passage.

Which was concurred in.

Ordered, That the Clerk inform the Senate thereof.

Senate bill No. 303. A bill to legalize and declare valid and effectual all the orders, judgments and other proceedings made, rendered and had, by and before the Court of Common Pleas of Whitley county, in this State, held in the Court House, in said county, in the month of March, 1865, and then and there, before the regular Judge of said Court.

Was taken up, read a third time, and

The question being shall said bill pass?

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Bird, Boyd, Branham, Brown, Burnes, Burton, Barwell, Buskirk, Caldwell, Chambers, Church, Coffroth, Collins, Cook, Cowgill, Cox, Croan, Crook, Davidson, Dunham, Ferris, Foulke, Glazebrook, Gleason, Goodman, Gregory of Warren, Griffith, Groves, Hargrove, Harrison, Henricks, Hershey, Hogate, Hoover, Hunt, Kilgore, Lane, Lasselle, Lemon, Lockhart, Lopp,

Major, Meredith, Miller, Milroy, Montgomery, McVey, Olleman, Osborn, Perigo, Pinney, Reese, Rhoads, Rice, Richardson, Riford, Roach, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Spencer, Stewart, Stenger, Stivers, Stuckey, Sullivan of Scott, Thatcher, Trusler, Veach, Weikel, Welch, Woodruff, Wright, Woods, Zeigler and Mr. Speaker—80.

Those who voted in the negative were,

Messrs. Prather and Stenger—2.

So the bill passed.

The question being, shall the title as read, stand as the title of said bill?

It was so ordered.

Ordered, That the Clerk inform the Senate thereof.

Mr. Humphreys, from the Joint Committee on Enrolled Bills, made the following report:

MR. SPEAKER:

The Joint Committee on Enrolled Bills now report that they did, on Wednesday, December 20, at 5½ o'clock, P. M., present to his Excellency, Conrad Baker, acting Governor of the State, for his approval and signature, Enrolled House Joint Resolution No. 20, and Enrolled House Bills Nos. 88, 270 and 276.

Mr. Cook moved to suspend the order of business and take up Senate bill 313.

Which was agreed to.

Senate bill No. 313. A bill to amend the first and fourth sections of an act entitled "an act to re-organize the Evansville Insurance Companies chartered under the several acts of February 8, 1836, and January 21, 1850.

Was taken up, and read a third time.

The question being, shall said bill pass?

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Bird, Boyd, Brown, Burnes, Burton,

Burwell, Buskirk, Caldwell, Chambers, Church, Collins, Cook, Cowgill, Cox, Croan, Crook, Davidson, Ferris, Gleason, Goodman, Gregg, Gregory of Warren, Groves, Hargrove, Henricks, Hogate, Howard, Humphreys, Hunt, Kilgore, Lane, Lasselle, Lemon, Lockhart, Lopp, Major, Meredith, McVey, Newcomb, Olleman, Perigo, Pinney, Prather, Reese, Rice, Richardson, Riford, Roach, Shoaff of Jay, Shuey, Sim, Spencer, Stewart, Stivers, Stuckey, Sullivan of Scott, Thatcher, Trusler, Upson, Veach, Welch, White, Woodruff, Wright, Woods, Zeigler and Mr. Speaker—69.

Those who voted in the negative were,

Messrs. Foulke, Glazebrook, Griffith, Hershey, Hoover, Milroy, Osborn, Sabin, Stringer and Weikel—10.

So the bill passed.

The question being, shall the title, as read, stand as the title of said bill?

It was so ordered.

Ordered, That the Clerk inform the Senate thereof.

Mr. Rhoads, from the Joint Committee on Enrolled Bills, made the following report:

Mr. Speaker:

The Joint Committee on Enrolled Bills respectfully report that on Wednesday, December 20, 1865, at 8 o'clock, P. M., they presented Enrolled Acts of the House of Representatives Nos. 68, 117 and 256 to his Excellency, the acting Governor of the State, for his approval and signature.

Mr. Caldwell moved to suspend the order of business and take up Senate bill No. 227.

Which was agreed to.

Senate bill No. 227. A bill for the relief of Isaac D. Armstrong, Treasurer of the county of Clinton, in the State of Indiana.

Was then taken up, read a third time, and

The question being, shall said bill pass?

Those who voted in the affirmative were,

Messrs. Abbett, Bird, Boyd, Brown, Burwell, Buskirk, Caldwell, Chambers, Church, Cook, Cox, Croan, Foulke Glazebrook, Gregg, Gregory of Warren, Harrison, Hendricks, Howard, Kilgore, Lane, Lasselle, Lemon, Lockhart, Lopp, Major, Meredith, Miller, Milroy, Osborn, Prather, Reese, Rhoads, Rice, Riford, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Stewart, Stenger, Stuckey, Sullivan of Scott, Sullivan of P. and V., Thatcher, Trusler, Veach, Weikel, White, Woodruff, Woods and Mr. Speaker—51.

Those who voted in the negative were,

Messrs. Atkinson, Boyd, Burton, Collins, Cowgill, Crook, Davidson, Ferris, Griffith, Groves, Hargrove, Hershey, Hogate, Hoover, Humphreys, Hunt, McVey, O'Brien, Olleman, Perigo, Richardson, Roach, Spencer, Stringer and Wright—24.

The question being, shall the title, as read, stand as the title of said bill?

It was so ordered.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Montgomery from the Joint Committee on Enrolled Bills made the following report:

Mr. Speaker:

The Joint Committee on Enrolled Bills would respectfully report that they have carefully compared enrolled acts of the House, Nos. 263 and 255, with the engrossed copies thereof and find that the same are in all respects correctly enrolled.

Mr. Stivers moved to suspend the order of business and take up Senate bill No. 205.

Which was agreed to.

Senate bill No. 205. A bill to fix the time of holding the Circuit Court in the several counties composing the seventh Judicial Circuit and repealing all laws in conflict therewith.

Was taken up.

Mr. Stivers moved that it be deemed expedient to suspend the constitutional rule, requiring bills to be read on three several days by sections, and read said bill a second time by title, and a third time by sections now.

The ayes and noes were taken under the Constitution.

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Brown Burnes Burwell, Buskirk, Chambers, Church, Collins, Cook, Cowgill, Cox, Croan, Davidson, Ferris, Foulke, Glazebrook, Gleason, Goodman, Gregg, Gregory of Warren, Griffith, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, Hunt, Kilgore, Lane, Lemon, Lockhart, Lopp, Meredith, Milroy, McVey, Newcomb, O'Brien, Olleman, Osborn, Perigo, Pinney, Prather, Reese, Rice, Richardson, Riford, Roach, Sabin, Shoaff of Jay, Shuey, Sim, Stewart, Stenger, Stivers, Stringer, Stuckey, Trusler, Upson Veach, Weikel, Welch, White, Woodruff, Wright, Woods, Zeigler and Mr. Speaker—71.

Those who voted in the negative were,

Messrs. Boyd, Groves, Miller, Spencer, Sullivan of Scott—5.

So it was deemed expedient to suspend the constitutional rule, and said bill was read a second time by its title.

Mr. Stivers offered the following amendment:

Amend section one by striking out in the 27th line of said section, the word "two," and insert the word "three."

Which was agreed to.

Senate bill No. 205, was then read a third time.

The question being shall said bill pass?

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Bird, Boyd, Branham, Brown, Burnes, Burton, Burwell, Buskirk, Caldwell, Chambers, Church, Collins, Cook, Cowgill, Croan, Crook, Davidson, Dunham, Ferris, Gleason, Goodman, Gregg, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, Hunt, Lane, Lemon, Lockhart, Major,

Meredith, Miller, Montgomery, McVey, Newcomb, Olleman, Osborn, Pinney, Prather, Rhoads, Rice, Richardson, Riford, Sabin, Shuey, Stewart, Stenger, Stivers, Stuckey, Sullivan of Scott, Thatcher, Trusler, Upson, Veach, Weikel, Welch, White, Woodruff, Wright, Zeigler and Mr. Speaker—68.

Mr. Stringer voting in the negative.

The question being, shall the title, as reported, stand as the title of said bill?

It was so ordered.
So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

A message from the Senate, by Mr. Wilson, their Secretary.

MR. SPEAKER:

I am directed by the President of the Senate, to inform the House of Representatives, that he has signed enrolled acts Nos. 114, 199, 223 and 284, of the Senate of Indiana, to which the signature of the Speaker of the House of Representatives is respectfully asked.

Mr. Ferris, moved to suspend the order of business and take up Senate bill No. 66, and Senate bill No. 215.
Which was agreed to.

Senate bill No. 215. A bill to amend section 77 of an act entitled an act to revise, simplify and abridge the rules, practices, pleadings and forms in criminal actions in the Courts of the State, approved June 17, 1852, and declaring when the same shall take effect.
Was taken up.

Mr. Brown, moved to lay the bill on the table.
Which was not agreed to.

Senate bill No. 215, was then read a third time.

The question being, shall said bill pass?

Those who voted in the affirmative were,

Messrs. Atkinson, Branham, Burnes, Burton, Burwell, Buskirk, H. J.—44.

Church, Collins, Cook, Cowgill, Cox, Croan, Crook, Davidson, Ferris, Foulke, Glazebrook, Gleason, Gregg, Gregory of Montgomery, Gregory of Warren, Hargrove, Harrison, Henricks, Hershey, Higgins, Hoover, Howard, Hunt, Kilgore, Lane, Lasselle, Lemon, Lockhart, Lopp, Major, Meredith, Milroy, Newcomb, Osborn, Prather, Reece, Rice, Richardson, Riford, Roach, Sabin, Shoaff of Allen, Shuey, Sim, Stenger, Stivers, Stuckey, Sullivan of Scott, Trusler, Upson, Veach, Weikel, Welch, Woodruff, Wright, Zeighler and Mr. Speaker—64.

Those who voted in the negative were,

Messrs. Bird, Brown, Caldwell, Chambers, Dunham, Griffith, Spencer and Stringer.—8.

So the bill passed.

The question being, shall the title, as reported, stand as the title of said bill?

It was so ordered.

Ordered, That the Clerk inform the Senate thereof.

Senate bill No. 66, was taken up.

Mr. Chambers moved to lay the bill on the table.

Which was agreed to.

Mr. Atkinson moved to suspend the order of business and take up Senate bill No. 219.

Which was agreed to.

Senate bill. No. 219. A bill defining who shall be competent witnesses to testify in any Court or judicial proceeding in this State, and to repeal all laws and parts of laws in conflict with the provisions of this act.

Was taken up and read a third time.

The question being, shall said bill pass?

Those who voted in the affirmative were,

Messrs. Atkinson, Bonner, Branham, Burnes, Caldwell, Chambers, Church, Cook, Cowgill, Cox, Croan, Crook, Davidson, Ferris, Foulke, Gleason, Goodman, Gregory of Montgomery, Gregory of Warren

Griffith, Groves, Hamrick, Henricks, Hershey, Higgins, Hogate, Hoover, Kilgore, Lane, Lockhart, Major, Meredith, Miller, Montgomery, McVey, Newcomb, Olleman, Prather, Reese, Rhoads, Rice, Riford, Sabin, Shuey, Sim, Stewart, Stivers, Stringer, Trusler, Upson, Wright, Woods, Zeigler and Mr. Speaker—53.

Those who voted in the negative were,

Messrs. Abbett, Bird, Brown, Burton, Burwell, Buskirk, Coffroth, Collins, Croan, Dunham, Glazebrook, Gregg, Hargrove, Harrison, Howard, Humphreys, Lasselle, Lemon, Lopp, Milroy, O'Brien, Osborn, Perigo, Pinney, Richardson, Roach, Shoaff of Allen, Shoaff of Jay, Spencer, Stenger, Stuckey, Sullivan of Scott, Sullivan of P. and V., Thatcher, Veach and Welch—37.

So the bill passed.

The question being, shall the title, as reported, stand as the title of said bill?

It was so ordered.

Ordered, That the Clerk inform the Senate thereof.

Mr. Zeigler moved to suspend the order of business and take up Senate bill No. 270.

Which was agreed to.

Engrossed Senate bill No. 270. A bill to amend sections eight and ten of an act entitled "an act regulating the fees of officers and repealing former acts in relation thereto," approved March 2, 1855,

Was taken up, with amendments heretofore reported by a select committee, as follows:

Insert after the word "words," in the fourth line of section eight, "ten cents, except the first copy of the tax duplicate, for which there shall be allowed fifteen cents per hundred words."

In the sixth line of the tenth section, strike out the word "five' and insert the word "four."

The amendments were read.

Mr. Rice moved the previous question,

Which was seconded by the House.

The question being, shall the main question be now put?
It was so ordered.

The question being on agreeing to the amendments by the committee.

The first amendment of said committee was read,
And agreed to.

The second amendment was read,
And agreed to.

The question being, shall said bill pass?

Those who voted in the affirmative were,

Messrs. Atkinson, Bonner, Branham, Brown, Burnes, Burton, Cook, Cox, Croan, Ferris Foulke, Gleason, Goodman, Gregg, Gregory of Montgomery, Gregory of Warren, Hargrove, Harrison, Hershey, Hogate, Hunt, Lane, Lasselle, Lockhart, Meredith, McVey, Newcomb, Osborn, Perigo, Pinney, Rice, Richards, Riford, Roach, Stewart, Stuckey, Thatcher, Upson, Welch, White, Wright, Zeigler and Mr. Speaker—43.

Those who voted in the negative were,

Messrs. Bird, Burwell, Caldwell, Chambers, Coffroth, Collins, Cowgill, Davidson, Glazebrook, Griffith, Groves, Hamrick, Henricks, Higgins, Hoover, Howard, Kilgore, Lemon, Lopp, Major, Miller, Milroy, Olleman, Prather, Reese, Richardson, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Spencer, Stivers, Sullivan of Scott, Trusler, Weikel, Woodruff and Woods—33.

So the bill failed to pass for want of a constitutional majority.

Message from the Senate, by Mr. Wilson, their Secretary.

MR. SPEAKER:

I am directed by the President of the Senate to inform the House of Representatives that he has signed enrolled act No. 187, of the Senate, and the same is herewith respectfully transmitted to the House of Representatives for the signature of the Speaker thereof.

Also, enrolled act No. 227, of the Senate, entitled "an act for the

relief of Isaac D. Armstrong, Treasurer of Clinton County, in the State of Indiana."

To which the signature of the Speaker of the House of Representatives is respectfully asked.

Also, that the Senate has passed engrossed House bill No. 299, entitled "a bill to legalize the official acts of certain officers therein named, and the acts of their deputies, as such while the principals were performing military service in the army of the United States.',

Also, engrossed House bill No. 237, entitled "a bill to amend section thirty-five of an act to provide for a general system of common schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed," approved March 6, 1865.

And the same are herewith respectfully returned.

A message from the Senate, by Mr. Wilson, their Secretary.

MR. SPEAKER:

I am directed by the President of the Senate to inform the House of Representatives that he has signed enrolled acts Nos. 255 and 263, of the House of Representatives.

And the same are herewith respectfully returned.

Also, that the President has signed enrolled acts Nos. 206 and 281, of the Senate.

To which the signature of the Speaker of the House is respectfully requested.

Mr. Rhoads, from the Committee on Enrolled Bills, made the following report:

MR. SPEAKER:

The Joint Committee on Enrolled Bills respectfully report that on Wednesday, December 20, 1865, they presented to His Excellency, the Acting Governor of the State, for his approval and signature, enrolled acts of the House, Nos. 255 and 263.

Mr. Montgomery, from the Committee on Enrolled Bills, made the following report:

MR. SPEAKER:

The Joint Committee on Enrolled Bills would respectfully report that they have carefully compared enrolled act of the House No. 280 with the engrossed copy thereof, and find that the same is, in all respects, correctly enrolled.

Mr. Rhoads, from the Committee on Enrolled Bills, made the following report:

MR. SPEAKER:

The Joint Committee on Enrolled Bills respectfully report that they have carefully examined enrolled acts of the House of Representatives Nos. 95, 123, 189, 253 and 279, and have compared the same with the engrossed copies thereof, and instruct me to report the said acts correctly enrolled.

The Speaker announced that he had signed House bills Nos. 255, 263, 95, 135, 189, 253, 279, 280, and also Senate bills Nos. 114, 66, 223, 281, 199, 206 and 281½.

A message from the Senate, by Mr. Wilson, their Secretary.

MR. SPEAKER:

I am directed by the President of the Senate to inform the House of Representatives that he has signed enrolled act No. 303 of the Senate, and the same is herewith respectfully submitted for the signature of the Speaker of the House of Representatives.

I am further directed to inform the House of Representatives that the President of the Senate has signed enrolled acts Nos. 95, 123, 189, 253, 279 and 280 of the House of Represensatives, and the same are herewith respectfully returned.

A Message from the Senate, by Mr. Wilson, their Secretary.

MR. SPEAKER:

I am directed by the President of the Senate to inform the House that the Senate has passed House bill No. 328, entitled, "a bill mak-

ing specific appropriations for the year 1866, with the following amendments thereto, which are herewith submitted.

Mr. Rhoads, from the Committee on Enrolled Bills, made the following report:

Mr. Speaker:

The Joint Committee on Enrolled Bills respectfully report, that on Wednesday, December 20, 1865, they presented to His Excellency the acting Governor of the State, for his approval and signature, enrolled acts of the House of Representatives Nos. 95, 123, 189, 253, 279 and 280.

Mr. Montgomery, from the Committee on Enrolled Bills, made the following report:

Mr. Speaker:

The Joint Committee on Enrolled Bills respectfully report that they have carefully compared enrolled acts Nos. 164 and 278 of the House of Representatives with the engrossed copies thereof, and find the same, in all respects, correctly enrolled.

Mr. Montgomery, from the Committee on Enrolled Bills, made the following report:

Mr. Speaker:

The Joint Committee on Enrolled Bills respectfully report that they have carefully compared enrolled acts Nos. 277, 299 and 237, of the House of Representatives, with the engrossed copies thereof, and find the same in all respects carefully enrolled.

Mr. Branham moved to suspend the order of business, and take up Senate messages, with House bill No. 328, and engrossed amendments of the Senate.

Which was agreed to.

Engrossed House bill No. 328. A bill making specific appropriations for the years 1859, 1861, 1863, 1865, and 1866,

Was taken up, with the following engrossed amendments of the Senate:

Section 1. That James Lyons be allowed the sum of two dollars and fifty cents for wood. towels.

Sec. 2. That Hall & Hutchinson be allowed three dollars and fifty cents for articles furnished Senate.

Sec. 3. That Wilkins & Hall be allowed the sum of twenty-one dollars for repairs and varnishing chairs in Senate.

Sec. 4. That Kindler & Isensee be allowed twenty-seven dollars and ninety cents for repairing desks of Senate.

Sec. 5. That W. & J. Braden be allowed eighteen dollars and eighty cents for register and journal for Senate.

Sec. 6. That the Indianapolis Gas Light and Coke Company be allowed sixty-five dollars and seventy cents for gas furnished last session.

Sec. 7. That George H. Murphey be allowed nine hundred and fifty-two dollars, purchase money of land ordered refunded.

Sec. 8. That Merrill & Co. be allowed three hundred and nine dollars and forty-five cents, for stationery for present session.

Sec. 9. That William A. Bonham be allowed thirty-six dollars witness fee, attending before the Committee of the Legislature of 1863, on Military Arrests.

Sec. 10. That William Trash be allowed forty-six dollars witness fee, as above.

Sec. 11. That Abraham Stahl be allowed twenty-four dollars as witness fee, as above.

Sec. 12. That William H. Gable be allowed thirty-three dollars witness fee, as above.

Sec. 13. That Abraham B. Jetmon be allowed thirty-three dollars witness fee, as above.

Sec. 14. That Haywood & Co. be allowed two dollars and ten cents for filing saws.

Sec. 15. That Jonas Good be allowed thirty-six dollars, without fees, attending on Committee on Arbitrament.

Sec. 16. That Joseph H. Blake be allowed twenty dollars and

seventy cents as witness fee, attending before Committee of Legislature of 1863.

Sec. 17. That B. H. Conwell be allowed twenty-six dollars and seventy-five cents witness fee, as above.

Sec. 18. That Callum H. Bailey be allowed twenty-six dollars and seventy-five cents as witness fee, as above.

Sec. 19. That William H. Stuart be allowed twenty-six dollars and seventy-five cents witness fees, as above.

Sec. 20. That James G. Bryant be allowed six dollars and fifty cents for Carson's Manual for session of 1865.

Sec. 21. That Patrick Branan be allowed thirty dollaes for work done at regular session.

Sec. 22. That J. H. Jordan be allowed one hundred and fifty-five dollars and seventy-five cents for the Gazette for regular session.

Sec. 23. That Aquilla Jones be allowed eight hundred and fifty-nine dollars and eight cents, money furnished Governor Willard during his term of office.

Sec. 24. That Julius Boetticher be allowed the sum of fifty-five dollars and fifty-five cents for the Weekly Indiana Volksblat during this session.

Sec. 25. That the Daily Telegraph Company be allowed the sum of three hundred and eighty-nine dollars and fifty-five cents for their paper during this session.

Sec. 26. That Holloway, Douglass & Co. be allowed the sum of twenty dollars for paper for enrolled acts.

Sec. 27. That Browning & Sloan be allowed the sum of thirty dollars and twenty cents for articles furnished Senate.

Sec. 28. That Munson & Johnson be allowed the sum of eight dollars and forty cents for articles furnished Senate.

Sec. 29. That Jones, Hess & Davis be allowed the sum of three dollars and fifty cents for toweling.

Sec. 30. That Henry Reese & Co. be allowed the sum of twenty dollars and eight cents for articles furnished Senate.

Sec. 31. That Merrill & Co. be allowed the sum of three hundred and forty dollars and seventeen cents for stationery.

Sec. 32. That Henry Coleman be allowed the sum of ten dollars for work done on Governor's house.

Sec. 33. That N. F. Cunningham be allowed one thousand one hundred and eighty-eight dollars, amount due him for receipts and disbursements of the Swamp Land Funds, during his office as Treasurer of State.

Sec. 34. That Hall & Hutchinson be allowed the sum of three hundred and fifty-two dollars and forty-five cents for the Daily Herald during the present session.

Sec. 35. That J. H. Jordan be allowed the sum of seventy-four dollars and twenty cents for Daily Gazette during the present session.

Sec. 36. That Holloway, Douglass & Co. be allowed the sum of three hundred and fifty-two dollars and forty-five cents for the Daily Journal during the present session.

Sec. 37. That Browning & Sloan be allowed the sum of twenty-five dollars and forty-five cents for articles furnished Senate.

Sec. 38. That Merrill & Co. be allowed the sum of ninety-three dollars and twelve cents for stationery.

Sec. 39. That A. E. & W. H. Drapier be allowed for Brevier Legislative Reports furnished last session in compliance with resolutions then passed; and also, at the same rate, viz: two-thirds of one cent per page for copy for the same number of copies for the present session.

Sec. 40. That W. D. Latshaw be allowed the sum of thirty-four dollars for attendance as witness before committee of Legislature of 1863.

Sec. 41. That Merrill & Co., be allowed the sum of three hundred and fifteen dollars and sixty cents for stationery.

Sec. 42. That David Stephenson be allowed the sum of five hundred dollars for statutes furnished last session.

Sec. 43. That Bowen, Stewart & Co., be allowed eighty-six dollars and twenty-eight cents for stationery of last session.

Sec. 44. That Merrill & Co., be allowed the sum of eight hundred twenty-three dollars and seventy-five cents, for stationery furnished for regular session.

Sec. 45. That Worden & Co., be allowed three dollars and forty cents for stationery for regular session.

Sec. 46. That Hume & Adams be allowed the sum of seventeen dollars and eight cents for articles furnished for regular session.

Sec. 47. That C. Kindler be allowed nine dollars and eighty-five cents for articles furnished at regular session.

Sec. 48. That J. H. Ross be allowed the sum of one hundred and forty-nine dollars for coal furnished last session.

Sec. 49. That Ennis & Miles, be allowed thirty-four dollars and seventy-five cents, for articles furnished last session.

Sec. 50. That the Cabinet Makers Union be allowed the sum of thirty-dollars for articles furnished Committee room at regular session.

Sec. 51. That Speigel, Thoms & Co., be allowed the sum of fifty-nine dollars and fifty cents for furniture for use of Senate, regular session.

Sec. 52. That Charles E. Hawthorne be allowed the sum of twenty-seven dollars for articles furnished Senate regular session.

Sec. 53. That Tousey, Byram & Co., be allowed forty-nine dollars and eighty-eight cents.

Sec. 54. That E. H. Brown be allowed twelve dollars for service at regular session.

Sec. 55. Jones, Vinnege & Jones be allowed five dollars for articles furnished Senate at regular session.

Sec. 56. That Henry Reese & Co., be allowed five dollars for articles for regular session.

Sec. 58. That C. A. Woodbridge be allowed the sum of fifteen dollars for crockery for regular session.

Sec. 59. That O. M. Wilson, Principal Secretary of Senate, be allowed the sum of one hundred and twenty dollars for extra service for this session.

Sec. 60. That C. A. Ferguson be allowed the sum of two dollars and fifty cents for reparing clocks this session.

Sec. 61. H. C. Chandler be allowed the sum of fifty dollars and eighty-seven cents for stationery.

Sec. 62. That W. H. Warnsly be allowed one hundred and nineteen dollars and fifty cents, as allowed last session but not paid.

Sec. 63. That Stiles W. Erving be allowed fifty dollars and seventeen cents, as allowed.

Sec. 64. That Merrill & Co. be allowed thirty-nine dollars and forty cents for stationery.

Sec. 66. That O. M. Wilson, Principal Secretary, and A. P. Newkirk, Assistant Secretary, be allowed the sum of one hundred dollars each for indexing Senate Journal for special session of 1865.

Sec. 67. That Kindler & Isensee be allowed two dollars for keys and lock furnished the Senate.

Sec. 68. That twenty thousand dollars be, and the same is, hereby appropriated for the current expenses of this General Assembly.

Sec. 69. That W. & J. Braden be allowed one dollar and twenty cents for blanks for the Secretary of the Senate.

Sec. 70. That Frank Zelleff be allowed the sum of fifteen dollars for services as Enrolling Clerk for extra session of 1865.

Sec. 71. That A. H. Brown be allowed ten dollars for extra services as Enrolling Clerk for extra session of 1865.

Sec. 72. That Merrill & Co. be allowed the sum of ninety-nine dollars and ten cents for stationery.

Amend by adding:

Sec. —. That James Campbell be allowed the sum of four

hundred and twenty-one dollars and seventy-two cents, for books for the use of the Northern Penitentiary.

Sec. —. That Martin Feuner be allowed the sum of for services as fireman for Committee on Ways and Means, to be certified to by the Speaker of the House at the rates of one dollar per day.

Sec. —. That the presiding officers of each House be authorized to certify the number of days the employees thereof have been actually engaged in their office duties, and that they be paid the amount allowed by law, upon such certificate.

Mr. Buskirk offered the following amendment:

Sec. —. That Alfred Williams, Treasurer of the county of Brown, be allowed and released from the payment of the sum of twelve hundred and seventy-nine dollars and eighty-one cents, $908 80 being for State revenue, and $371 01 being for Sinking Fund collected by him as such Treasurer, and which was stolen from an iron safe without the fault or neglect of said Treasurer.

Mr. Lockhart moved to lay the amendment on the table.

The question being on Mr. Buskirk's amendment,

Messrs. Brown and Buskirk demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Atkinson, Bonner, Boyd, Branham, Chambers, Church, Collins, Cook, Cowgill, Cox, Croan, Crook, Davidson, Ferris, Glazebrook, Gleason, Goodman, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Hargrove, Henricks, Hershey, Higgins, Hoover, Lane, Lemon, Lockhart, Major, Meredith, Miller, McVey, Newcomb, Olleman, Osborn, Prather, Reese, Rice, Richardson, Riford, Sabin, Shuey, Sim, Stivers, Trusler, Upson, Welch, Woodruff, Wright, Woods and Mr. Speaker—52.

Those who voted in the negative were,

Messrs. Bird, Brown, Burnes, Burton, Burwell, Buskirk, Caldwell, Gregg, Harrison, Hogate, Howard, Kilgore, Milroy, Montgomery,

Perigo, Pinney, Shoaff of Allen, Shoaff of Jay, Spencer, Stewart, Stenger, Stuckey, Sullivan of Scott, Thatcher and Weikel—24.

So the motion to lay on the table prevailed.

Mr. Foulke offered the following amendment:

That Thomas F. Howell be allowed the sum of one hundred and fourteen dollars for services in enlisting volunteers.

Which amendment was,

On motion by Mr. Lockhart,

Laid on the table,

Mr. Boyd offered the following amendment:

The Committee on claims to whom was referred the claim of James Campbell, for books sold to Miles J. Fletcher, Superintendent of Public Instruction, for the use of the Northern Penitentary, respectfully beg leave to report that they have examined said claim, and find that there is due said Campbell thereon, the sum of four hundred and seventy-one dollars and twenty-two cents; that said books were purchased by said Fletcher, as Superintendent of Public Instruction, by the advice of the Governor of Indiana, and pursuant to a law thereof, on the 9th day of September, 1861, and upon the faith of the State that the same should be paid on the 9th day of March 1862; that said books have been furnished said Penitentary, and ought to be paid for by the State. They therefore respectfully recommend that the said claim be allowed, and the Committee on Ways and Means instructed to report an appropriation for the payment of the same.

Which was agreed to.

Mr. Branham offered the following resolution:

Resolved, That Martin Feuner be allowed the sum of ——— dollars for the time actually employd as fireman and in taking care of the room occupied by the Committee on Ways and Means to be certified to by the chairman of said Committee and drawn on the warrant of the Speaker of the House, such compensation being at the rate of one dollar per day.

Which amendment was adopted.

Mr. Branham offered to amend by adding the following new section.

Section — That the presiding officers of each House be authorized to certify the number of days employees thereof were occupied in their official duties, and said employees be paid the amount allowed by law on such certificate.

Which was agreed to.

On motion by Mr. Newcomb, all the engrossed amendments by the Senate were concurred in, except the 59th, which relates to the extra compensation of O. M. Wilson, and the 73d amendment, which relates to the extra compensation of the pages of the Senate.

Ordered That the Clerk inform the Senate thereof.

A message from the Senate, by Mr. Wilson, their Secretary:

Mr. Speaker:

I am directed by the President of the Senate to inform the House of Representatives that he has signed enrolled act No. 198 of the Senate.

To which the signature of the Speaker of the House of Representatives is respectfully requested.

Also, that the President has signed enrolled acts Nos. 277, 164, 237, 278 and 299 of the House of Representatives, and the same are herewith respectfully returned.

Mr. Montgomery, from the Joint Committee on Enrolled Bills, made the following report:

Mr. Speaker:

The Joint Committee on Enrolled Bills would respectfully report that they have carefully compared enrolled act of the House No. 320 with the engrossed copy thereof, and find that the same is, in all respects, correctly enrolled.

A message from the Senate by Mr. Wilson their Secretary.

Mr. Speaker:

I am directed by the Governor to inform your honorable body that he has approved and signed the following enrolled bills of the House, viz:

No. 82, entitled, "an act concerning the creation of corporations for the purpose of maintaining high schools within the State, and giving the requisite powers to such corporations."

No. 124, entitled, "an act to amend section 30 of an act regulating the fees of officers, and repealing former acts in relation thereto," approved March 2, 1855.

No. 126, entitled, "an act to amend section 5 of an act entitled, an act to authorize the construction of levees and drains," approved June 12, 1852.

No. 41, entitled, "an act to legalize sales by guardians under orders defective in not prescribing notice."

No. 79, entitled, "an act to amend an act entitled an act providing for the election or appointment of supervisors of highways, and prescribing certain of their duties, and those of county and township officers in relation thereto," approved March 5, 1859.

No. 84, entitled, "an act to legalize the action of the Board of County Commissioners of Vermillion County, and of the district and State Boards of Equalization in adopting the appraisement of real estate of 1859 as the basis for the assessment of taxes for the year 1864, and each year thereafter till a new appraisement shall be made."

No. 86, entitled, "an act giving the consent of the State of Indiana to, and authorizing the digging or construction of a ditch or canal from the Little Calumet river to the Grand Calumet river, both in Lake county in this State, and requiring the Attorney General to defend such suits or actions at law as may be brought against the parties who may be prosecuting said works."

No. 121, entitled, "an act to cure defective acknowledgments of deeds in certain cases."

No. 196, entitled, "an act to extend the time allowed by law for the completion of gravel roads for the term of one year, in cases therein specified."

No. 231, entitled, "an act to protect lawful public notices, and prescribing a penalty for injuries thereto."

No. 210, entitled, "an act to fix the time of holding the Court of Common Pleas in the county of Grant, and repealing all laws in conflict therewith, and that the same have been deposited in the office of the Secretary of State."

Mr. Rhoads from the Joint Committee on Enrolled Bills made the following report:

Mr. Speaker:

The Joint Committee on Enrolled Bills respectfully report that on Wednesday December 20, 1865, they presented to His Excellency, the Acting Governor of the State, for his approval and signature, enrolled acts of the House of Representatives, Nos. 164, 237, 277, 278 and 299.

Mr. Gleason moved to take up Senate bill No. 175.

Which was agreed to.

Engrossed Senate bill No. 175. A bill to authorize the formation of companies for the detection and apprehension of horse thieves and other felons, and for mutual protection, and repealing all laws inconsistent herewith,

Was taken up amd read a third time.

The question being, shall said bill pass?

Those who voted in the affirmative were,

Mesrs. Abbet, Bird, Branham, Brown, Burns, Burton, Buskirk, Caldwell, Chambers, Church, Coffroth, Collins, Cook, Cowgill, Cox, Croan, Crook, Davidson, Ferris, Foulke, Gleason, Goodman, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Hamrick, Harrison, Henricks, Higgins, Hogate, Hoover, Howard, Humphreys, Kilgore, Lemon, Lockhart, Lopp, Major, Meredith, Miller, Milroy, McVey, Newcomb, Olleman, Osborn, Perigo, Pinney, Prather, Reese, Rice, Riford, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Spencer, Stewart, Stivers, Stringer, Thatcher, Trusler, Upson, Welch, White, Woodruff, Wright, Wood, Zeigler and Mr. Speaker—70.

Those who voted in the negative were,

Messrs. Atkinson, Burwell, Dunham, Lane, and Sullivan of Scott —5.

So the bill passed.

The question being, shall the title as read, stand as the title of said bill?

It was so ordered.

Ordered, That the Clerk inform the Senate thereof.

A message from the Senate, by Mr. Wilson, their Secretary.

MR. SPEAKER:

I am directed by the President of the Senate to inform the House of Representatives that the Senate has passed, without amendment, the following engrossed bills of the House, to-wit:

Engrossed House bill No. 135, entitled a bill to amend the 651st section of the act entitled "an act to revise, simplify and abridge the rules, practice, pleadings, and forms in civil cases, in the Courts of this State; to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleadings and practice without distinction between law and equity," approved June 18, 1852.

Also, engrossed House bill No. 187, entitled "an act authorizing and requiring the Commissioners of the State Debt Sinking Fund to make settlement with the Sinking Fund Commissioners for $422,000, War Loan Bonds, purchased by Sinking Fund Commissioners, with moneys belonging to the Common School Fund; also, the sum of $165,000, moneys belonging to the Common School Fund, advanced by the Sinking Fund to pay interest on the State Debt; also, the sum of $33,536, Saline Fund, and $22,947.00 Bank Tax Fund, directing the transfer to the Common School Fund of the State of Indiana of so much of the two and one-half, and five per cent. Certificates of the Stocks of the State as will, at the price paid for the same, amount to the aggregate of the sums mentioned in this act; authorizing and directing the proper officers of State to issue a bond of the State for the amount thereof, bearing six per cent. interest, payable semi-annually, and principal payable and redeemable at the pleasure of the State, directing the Treasurer of State to pay to the credit of the general fund the several amounts herein specified, and declaring that an emergency exists for the immediate taking effect of this act."

Also, engrossed House bill No. 320, entitled "a bill to regulate swing bridges across the several canals, feeders, rivers and streams

in this State and prescribing a penalty for injuring the same or interrupting the free passage thereof and matters properly connected therewith and declaring an emergency.

Mr. Newcomb moved to suspend the rules and take from the table Senate bill No. 15, together with the report of the Committee on Free Conference on said bill.

Mr. Olleman moved to lay the motion on the table.

Messrs. Olleman and Brown demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Burnes, Chambers, Cowgill, Cox, Davidson, Ferris, Foulke, Gleason, Gregory of Montgomery, Hamrick, Hoover, Lane, Montgomery, Olleman, Reese, Rhoads, Rice, Sabin, Shuey, Stringer, Upson, Woods and Zeigler—23.

Those who voted in the negative were,

Messrs. Atkinson, Bird, Bonner, Boyd, Brown, Burton, Buskirk Church, Coffroth, Cook, Dunham, Goodman, Gregg, Gregory of Warren, Griffith, Harrison, Henricks, Hogate, Kilgore, Lemon, Lockhart, Lopp, Major, Meredith, Miller, Milroy, Newcomb, Osborn, Perrigo Pinney, Prather, Richardson, Shoaff of Allen, Shoaff of Jay, Sim, Spencer, Stivers, Stucky, Sullivan of Scott, Trusler, White, Woodruff and Wright—43.

No quorum voting.

The Speaker ordered a call of the House, when the following members answered to their names.

Messrs. Atkinson, Bird, Bonner, Boyd, Branham, Brown, Burnes, Burton, Burwell, Buskirk, Caldwell, Chambers, Church, Coffroth, Collins, Cook, Cowgill, Cox, Croan, Davidson, Dunham, Ferris, Foulke, Gleason, Goodman, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Hamrick, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, Hunt, Kilgore, Lane, Lasselle, Lemon, Lockhart, Lopp, Major, Meredith, Miller, Milroy, Montgomery, McVey, Newcomb, Olleman, Osborn, Perrigo, Pinney, Prather, Reese, Rhoads, Rice, Richardson, Riford, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Spencer, Stewart, Stivers, Stringer, Stuckey, Sullivan of Scott, Thatcher, Trusler, Upson, Welch, White, Woodruff, Wright, Woods, Zeigler and Mr. Speaker—83.

A quorum being present a further call of the House was dispensed with.

By unanimous consent Mr. Newcomb withdrew his motion, to take up Senate bill No. 15.

A message from the Senate by Mr. Wilson their Secretary.

MR. SPEAKER:

I am directed by the President of the Senate to inform the House that the Senate has concurred in engrossed House amendments to House bill No. 328, and have receded from its amendments Nos. 59 and 73.

The Speaker announced that he had signed the following bills:

Senate bills Nos. 227, 17, 303, 219, 313 and House bills Nos. 278, 164, 237, 299 and 277.

Mr. Branham moved to take up Senate message in reference to House bill No. 329.

Which was agreed to.

Message from the Senate, by Mr. Wilson, their Secretary.

MR. SPEAKER:

I am directed by the Senate, to inform the House of Representatives, that the Senate has passed engrossed House bill No. 329, entitled, "a bill making general appropriations &c., with the following engrossed amendments of the Senate thereto:

Engrossed Senate amendments to House bill No. 329.

Strike out the word "three," in the 15th line of the fifth section and insert the word "five."

Strike out the word "five," in the 11th section, 3d line and insert the word "three."

Strike out the words "five hundred," in line 10, of section 5.

Strike out all of section twenty-two.

Amend by striking out "eight," and insert "twelve," in the provision for the salary of the State Librarian.

Add the following as an additional section :

That the sum of two hundred dollars is hereby appropriated for extra services to the State Librarian for the year 1865.

First, second, third, fourth, fifth and sixth amendments, were read and agreed to.

The seventh amendment was read.

Mr. Newcomb moved to concur in said amendment, with the following amendment added to the 24th section :

Provided, That the said Auditing Committee, be, and they are hereby authorized and empowered to emamine and audit the claims filed and pending, and undisposed of before the said Committee, and to make a full report of their doings as now required by law : *And provided further*, That said Committee shall not sit longer than the first of next April.

Which was agreed to.

The amendment was then agreed to.

Ordered, That the Clerk inform the Senate thereof.

A message from the Senate, by Mr. Wilson, their Secretary :

MR. SPEAKER :

I am directed by the President of the Senate to inform the House that he has signed enrolled acts of the House, Nos. 254, 239, 207 and 285.

A message from the Senate, by Mr. Wilson, their Secretary :

MR. SPEAKER :

I am directed by the President of the Senate to inform the House, that he has signed enrolled act No. 205, of the Senate, and to present the same to the House for your signature thereto.

A message from the Senate, by Mr. Wilson, their Secretary :

MR. SPEAKER :

I am directed by the President of the Senate, to presenat to the House for the signature of the Speaker, enrolled acts, of the Senate, Nos. 201, 300, 233, 156, 289, 216 and 269.

I am further directed by the President of the Senate to inform the House, that he has signed the following enrolled acts of the House, to-wit:

Enrolled acts Nos. 187 and 328, and the same are herewith respectfully returned.

I am further directed by the President to inform the House, that the President has signed enrolled act No. 293, of the Senate, and to present the same for the signature of the Speaker thereto.

Mr. Rice moved to take up Senate bill No. 269.
Which was agreed to.

Engrossed Senate bill No. 269. A bill entitled, "an act requiring County Auditors to make examination of the records in their offices in relation to school funds and make report, and providing compensation therefor, and declaring an emergency.
Was taken up, and read a third time.

The question being, shall said bill pass?

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Bird, Bonner, Boyd, Branham, Brown, Burnes, Burton, Burwell, Caldwell, Chambers, Church, Coffroth, Cook, Cowgill, Cox, Davidson, Dunham, Foulke, Gleason, Goodman, Gregg, Gregory of Montgomery, Gregory of Warren, Griffith, Groves, Hamrick, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, Kilgore, Lane, Lemon, Lockhart, Lopp, Major, Meredith Miller, Milroy, McVey, Newcomb, Olleman, Osborn, Perigo, Pinney, Prather, Reese, Rhoads, Rice, Richardson, Riford, Sabin, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Spencer, Stewart, Stivers, Stuckey, Sullivan of Scott, Thatcher, Upson, Welch, Woodruff, Wright, Woods, Zeigler and Mr. Speaker—75.

Mr. Stringer voting in the negative.

So the bill passed.

The question being, shall the title as reported, stand as the title of said bill?
It was so ordered.

Ordered, That the Clerk inform the Senate thereof.

A message from the Senate, by Mr. Wilson, their Secretary:

Mr. Speaker:

I am directed by the President of the Senate, to inform the House of Representatives, that the Senate has concurred in the Engrossed House amendments to Senate bill No. 205.

Also, that the Senate has concurred in engrossed House amendments to Senate bill 93.

Also, that the Senate has passed engrossed House bill No. 211, entitled, "a bill to enable common carriers to dispose of unclaimed freight or baggage."

I am further directed to inform the House, that the President of the Senate has signed enrolled act No. 215, of the Senate, and the same is hereby respectfully submitted to the Speaker of the House of Representatives for his signature.

I am further directed by the President of the Senate, to inform the House, that the Senate has concurred in House amendments, to House bill No. 329—General Appropriation Bill.

Mr. Cook moved to take up Senate bill No. 256.
Which was agreed to.

The Speaker announced that he had signed Senate bills Nos. 249, 175, 93, 205, 269, 289, 256, 233, 300, 201, 216, and House bills Nos. 254, 285, 239 and 207.

Engrossed Senate bill No. 256. A bill to amend the 40th clause of section 30 of an act, entitled, "an act granting the citizens of the town of Evansville, a city charter," approved January 27, 1847.
Was taken up, and read a third time.

Mr. Griffith moved that the House do now adjourn.
Which was not agreed to.

Mr. Brown moved to lay the bill on the table.
Which was not agreed to.

The question being, shall said bill pass?

Those who voted in the affirmative were,

Messrs. Atkinson, Bird, Bonner, Boyd, Branham, Burnes, Burton, Burwell, Buskirk, Chambers, Church, Coffroth, Cook, Cowgill, Cox, Crook, Davidson, Foulke, Glazebrook, Gleason, Goodman, Gregory of Montgomery, Gregory of Warren, Griffith, Groves Hamrick, Harrison, Henricks, Hershey, Higgins, Hogate, Hoover, Howard, Hunt, Kilgore, Lane, Lemon, Litson, Lockhart, Lopp, Major, Meredith, Miller, Milroy, Montgomery, McVey, Newcomb, Olleman, Osborn, Perigo, Pinney, Prather, Reese, Rhoads, Rice, Richardson, Riford, Shoaff of Allen, Shoaff of Jay, Shuey, Sim, Stewart, Stivers, Sullivan of Scott, Sullivan of P. and V., Trusler, Upson, Welch, Woodruff, Wright, Woods, Zeigler and Mr. Speaker—73.

Those who voted in the negative were,

Messrs. Brown, Dunham, Patterson, Sabin and Thatcher—5.

So the bill passed.

The question being, shall the title, as read, stand as the title of said bill?

It was so ordered.

Ordered, That the Clerk inform the Senate thereof.

The Speaker announced that he had signed Senate bill No. 215.

A message from the Senate, by Mr. Wilson, their Secretary:

MR. SPEAKER:

I am directed to inform the House that the President of the Senate has signed enrolled acts of the Senate Nos. 93, 175 and 249, and the same are herewith submitted to the Speaker for his signature thereto.

Mr. Rhoads, from the Committee on Enrolled Bills, made the following report:

MR. SPEAKER:

The Joint Committee on Enrolled Bills respectfully report that they have carefully examined enrolled acts of the House Nos. 285, 254, 329, 211, 135, 187, 328 and 320, and have compared them with

the engrossed copies thereof, and instruct me to report said acts correctly and properly enrolled.

Mr. Buskirk moved that when this House adjourn, it adjourn to meet at ten o'clock to-morrow.

Which was agreed to.

On motion by Mr. Milroy, the House adjourned.

THURSDAY MORNING, 9 o'clock,
December 21, 1865.

House met pursuant to adjournment.

The Clerk proceeded to read the Journal of yesterday, when,

On motion, by Mr. Groves,

Its further reading was dispensed with.

The Journal was then approved.

Mr. Brown moved that the special order for the day be postponed two minutes.

Which was agreed to.

Mr. Higgins offered the following resolution:

Resolved, That his Excellency, the Governor, be requested to withhold his approval to Senate bill No. 270 for the reason that it has not passed this House.

And be it further resolved, That the Senate be informed that said bill had not passed this House, and that the Senate be requested to return said bill to this House.

Which was adopted.

SPECIAL ORDER OF THE DAY.

The hour having arrived for the consideration of the following resolution, offered by Mr. Stringer:

Be it resolved by the House of Representatives, of the State of Indiana, the Senate concurring, That the Governor be authorized to appoint a committee consisting of three competent business men, whose duty it shall be to visit the State Prison North, and thoroughly investigate the books and accounts of the same; to compare the workings of the present prison system since its inauguration with the workings of the lease system during the preceding ten years, making such investigation and presenting such facts and figures as shall enable the next General Assembly, of the State of Indiana, to legislate intelligibly in relation to prison affairs, and that it be their duty to report at the next regular session of the General Assembly of the State of Indiana.

Mr. Collins moved to amend by striking out the word "three," where it occurs in said resolution, and insert "one."

Mr. Burwell moved to lay the resolution and amendment on the table.

Messrs. Stringer and Burwell demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Bird, Bonner, Brown, Burwell, Collins, Dunham, Gregg, Hargrove, Lemon, Litson, Miller, Montgomery, Reese, Rhoads, Rice, Roach, Spencer, Stewart, Stuckey, Sullivan of Scott, Thatcher, Veach, Weikel, White and Zeigler—25.

Those who voted in the negative were,

Messrs. Atkinson, Boyd, Branham, Burnes, Buskirk, Church, Coffroth, Cook, Cowgill, Cox, Croan, Davidson, Ferris, Gleason, Gregory of Montgomery, Gregory of Warren, Groves, Hamrick, Harrison, Henricks, Hershey, Higgins, Hogate, Hunt, James, Lane, Lockhart, Lopp, Major, Meredith, McVey, Newcomb, O'Brien, Olleman, Osborn, Pinney, Prather, Riford, Sabin, Sim, Stenger, Stringer, Trusler, Upson, Welch, Woods and Mr. Speaker—47.

So the motion to lay on the table did not prevail.

Mr. Newcomb moved to amend Mr. Collins' motion, by inserting "two" instead of "one."

Mr. Higgins moved the previous question.
Which was seconded by the House.

The question being, shall the main question be now put?

It was so ordered.

The question being on striking out "three" and inserting "two,"
It was not agreed to.

The question being on inserting "one" instead of "three."
Which was not agreed to.

The question being on the original resolution.
The same was agreed to.

Mr. Buskirk offered the following concurrent resolution:

WHEREAS, It is an admitted fact that we have the most imperfect, defective and expensive Judiciary system of any State in the Union;

AND WHEREAS, Experience has demonstrated that there is not time, during the session of the General Assembly, for any member or committee to prepare a bill changing such system; therefore,

Resolved by the House of Representatives, (the Senate concurring) That there shall be appointed a Committee, of five, three from the House of Representatives, and two on the part of the Senate, who shall have authority to set during the vacation of the Legislature, who shall take into consideration the defects in the present Judicial system of the State, and report to the next General Assembly, such a system of Courts as shall tend to greater efficiency and economy.

Resolved, That the members of such Committee shall receive during the time they shall remain in session, to be paid by the Auditor and Treasurer of State, upon the certificate of the Chairman thereof, the same pay as now fixed by law for members of the General Assembly.

Resolved, That the State Librarian shall provide said Committee with a suitable room and stationery.

Which, on motion, was made the special order for the day for 2 o'clock, this afternoon.

Mr. Newcomb, called up the following concurrent resolution, in relation to the transfer of the United States General Hospital at Jeffersonville, to the State of Indiana..

Be it Resolved by the House of Representatives, (the Senate concurring therein) That the Lieutenant Governor, acting as Governor, is hereby authorized and directed to accept from the proper authorities of the United States, a transfer of the General Hospital at Jeffersonville, with such equipments thereof as may be included in such transfer, and to receipt therefor in the name of the State of Indiana.

And be it further enacted, That until the State shall by law provide for the care and support of such disabled soldiers as may desire the benefits of a *soldiers' home* or *asylum*, the Executive may grant the use of said hospital and its equipments to any private association that will assume the care of such disabled soldiers.

Mr. Newcomb, moved to amend by adding the following:

Or make such other disposition of the same, as he may deem best, but no obligation shall be entered into, binding the State for the rent of the premises on which said hospital is situated.

Pending which,
On motion by Mr. Coffroth.

The House adjourned.

2 O'CLOCK, P. M.

House met.

The Speaker laid before the House the following report from the State Librarian.

OFFICE OF STATE LIBRARIAN,
Indianapolis, Dec., 20, 1865.

To the Speaker and Members of the House of Representatives:

GENTLEMAN:—In accordance with the resolution of your honorable body, I herewith transmit to you my report of the stationery account of the officers and members of the House:

From the fact that purchases have been made for both branches of the General Assembly, the bills have been furnished to either House, dividing as near as possible the pro rata expense of both bodies

Many items upon the bills of stationery furnished the Committee of the House, were used by the Senate, and *vice versa*. Many articles upon bills allowed in the Senate have been used by the House. Duplicate copies of all stationery bills are upon file in the Library.

You will find in the accompanying tables the various articles furnished to the members of the House, each under the appropriate head, and the total amounts carried out.

It will be seen that the Clerks of the House have managed their departments with the most rigid economy, having used during the entire session, but $235.30.

We have kept a faithful record of the account of each member which can be seen in the Library by any one who may wish to examine our books.

Thankful for the expressions of good will received at your hands, and the free and friendly feeling that has existed between us in our mutual relations.

I am, as ever,
respectfully yours,
B. F. FOSTER,
State Librarian.

Stationery Account of Members of the House of Representatives.

MEMBERS OF THE HOUSE.	Legal Cap Paper.	Foolscap Paper.	Cong. Letter Paper.	Commerc'l Note Paper	Legal Envelopes.	Buff Letter Paper.	White Letter Paper.	Lead Pencils.	Pen Holders.	Steel Pens.	Gold Pens.	Two cent Stamps.	Three cent Stamps.	Ink.	Blotting Pad.	Mucilage.	Ink Stands.	Erasers.	Stationery at Merrills.	Total.
Abbett, O. H. P.	.....	3 50	.....	4 25	.....	60	60	.....	05	1 25	.....	1 00	3 00	...	...	75	...	.....	.....	15 00
Atkinson, Thomas	.....	.....	2 25	2 50	.....	80	80	1 00	20	.....	3 50	2 00	79	75	...	.....	50	.....	.....	14 99
Bird, Ochming	.....	2 95	4 25	1 20	.....	40	20	1 2	...	.....	.....	2 40	2 40	...	...	.....	..	.....	.....	15 00
Bonner, Wm. H	.....	.....	.....	.....	.....	.....	.....	.....	..	.....	.....	2 00	.....	10	05	25	50	.....	10 0	12 90
Boyd, Robert	1 20	.....	90	1 20	25	.....	4	.....	...	25	5 00	2 00	75	75	..	.....	..	.....	.....	12 70
Branham, D. C.	.....	.....	4 13	2 40	.....	1 00	1 00	.....	...	.....	.....	.....	.....	...	...	.....	..	.....	.....	8 53
Brown, Jason B	12 00	.....	.....	.....	.....	.....	.....	.....	...	.....	.....	2 00	1 00	...	...	.....	..	.....	.....	15 00
Burnes, John T.	.....	.....	.....	.....	.....	.....	.....	.....	...	.....	.....	2 00	9 00	...	...	.....	..	.....	4 00	15 00
Burton, Stephen G.	.....	.....	.....	9 00	.....	05	1 45	1 00	0	25	.....	.....	3 00	10	10	.....	..	.....	.....	15 00
Burwell, Newton	6	.....	.....	.....	.....	.....	20	.....	05	06	.....	1 82	12 03	10	10	.....	..	.....	.....	14 96
Buskirk, Samuel H.	3 60	.....	4 95	1 50	.....	.....	60	.....	..	.....	.....	2 52	48	...	10	.....	50	.....	.....	14 25
Caldwell, J. J	1 20	1 50	4 65	1 20	.....	60	60	.....	05	30	.....	2 00	3 00	10	...	25	...	.....	.....	15 00
Chambers, David W.	.....	.....	4 50	2 50	05	20	40	50	10	.....	.....	1 00	3 00	...	...	.....	...	1 25	.....	15 00
Church	1 0	.....	90	.....	50	60	.....	.....	..	.....	6 00	3 00	3 00	...	...	.....	..	.....	.....	15 00
Collins, Philemon N.	.....	.....	.....	.....	.....	.....	.....	.....	..	.....	.....	1 00	9 00	...	...	.....	..	.....	5 00	15 00
Coffroth, John B.	.....	.....	.....	7 95	.....	05	.....	.....	..	.....	.....	1 00	3 00	...	...	.....	..	.....	.....	15 00
Cook, F. W.	.....	.....	1 20	.....	50	40	.....	.....	..	.....	.....	1 00	1 50	...	...	.....	..	.....	.....	4 60
Cowgill, Calvin	.....	.....	23	.....	25	.....	.....	.....	05	12	.....	.....	.....	...	10	.....	..	.....	14 43	15 00
Cox, Elisha	60	50	3 50	4 00	.....	55	20	30	10	25	.....	2 00	3 00	...	...	.....	..	.....	.....	15 00
Croan, D. E.	.....	.....	4 26	2 40	25	20	40	.....	..	.....	.....	2 00	5 49	...	...	.....	..	.....	.....	14 99
Crook, Howard	2 8	.....	4 70	2 00	25	20	.....	.....	..	.....	.....	2 00	3 00	...	...	.....	..	.....	.....	15 00
Davidson, Stephen	.....	1 00	.....	25	.....	.....	.....	.....	..	.....	.....	2 00	3 00	...	...	.....	..	.....	8 75	15 00
Dunham, Cyrus L.	.....	.....	8 90	.....	.....	1 75	3 20	70	10	05	25	.....	.....	10	...	.....	..	.....	.....	15 00
Ferris, Benjamin F.	2 40	2 00	2 70	25	.....	60	40	60	0	25	.....	2 00	1 50	...	10	.....	..	.....	.....	12 85
Foulke, W. W.	1 50	.....	.....	.....	.....	20	.....	.....	..	05	5 25	2 00	6 00	...	...	.....	..	.....	.....	15 00
Glazebrook, Lloyd	5 00	.....	4 25	.....	.....	75	.....	.....	..	.....	.....	2 00	3 00	...	...	.....	..	.....	.....	15 00
Gleason, Newell	1 20	.....	1 80	1 75	25	1 20	63	.....	05	12	.....	2 00	6 00	...	...	.....	..	.....	.....	15 00
Goodman, B F.	.....	.....	.....	.....	.....	.....	.....	.....	..	.....	5 00	2 00	6 00	...	...	.....	..	.....	2 00	15 00
Gregg, Richard	3 60	3 00	2 70	.....	.....	1 00	.....	.....	..	.....	.....	2 00	2 45	...	...	25	..	.....	.....	15 00
Gregory, Samuel	.....	.....	45	50	25	20	20	20	...	25	.....	4 00	1 50	10	...	.....	..	.....	4 75	15 00
Gregory B. F.	4 00	2 50	2 85	2 60	25	20	40	.....	...	25	.....	50	1 65	...	10	.....	40	.....	.....	15 00
Griffith, Francis P	.....	.....	45	.....	.....	40	40	.....	05	25	.....	6 95	6 00	...	...	5	...	.....	.....	15 00
Groves, Henry	.....	50	.....	25	.....	.....	20	.....	...	25	.....	4 00	3 00	...	...	.....	..	.....	6 80	15 00
Hamrick, A. D.	.....	50	1 70	3 45	.....	.....	.....	.....	10	.....	.....	1 00	3 00	...	...	.....	..	.....	2 20	15 00

Hargrove, John	60		4 25	1 20		4	20					2 36	6 00							15 01
Harrison, James	6 00		2 13	1 20		1 49	60					1 08	1 98							15 00
Henricks, John A				25			20													45
H[illegible]shey, [illegible]ph M.			1 35			40	4	1 00	20			0	3 00				4		5 20	15 00
Higgins, W. W.	0			1 00	25	60						2 00	3 00		10			0		15 0
Hogate, Charles F.			2 58	1 00			80			25		2 00				35			8 02	15 00
Hoover, Jonas	60		45	25	10	10		10	10	10	6 00	00	75						5 45	15 00
Howard, J. G.	10 00		2 25									1 00	75							15 00
Humphreys, James M	8 50		90		50	80	40	10	05			1 00	1 50			25				15 00
Hunt, Thomas	30								05		6 00	1 20	1 50				0		6 45	15 00
James, Henley											5 50	02	1 23						8 25	15 00
Johnson, Silas											5 50	62	8 88							15 00
Kilgore, Alfred	10 00		4 10					40										50		15 00
Lane, Higgins												2 00	3 00						10 00	15 00
Laselle, Chas. B.	3 60	4 00	2 70		1 00	1 20						2 00	1 00		10					14 60
Lee, Jamison			23									2 00	3 00							5 23
Lemmon, John											6 00	3 00	6 00							15 00
Litson, Richard			1 80				20					4 00	1 50	75		25	50			9 00
Lockhart, Robert M						20			10	25		2 00	3 00							5 55
Lopp, John W					25	20					8 55	2 00	3 00							15 00
Major, N. J.	60		3 60	50		60	40	30	15	34		1 00	3 00				50			10 99
Meredith, F. M			2 25	1 75			1 00					1 08	6 00							15 00
Miller, C. J. L.	5 00			25		35			10	10		4 02	4 98	10	10					15 00
Milroy, John B.			2 25	4 80		1 00	1 00					02	4 92							14 99
Montgomery, S. T.			2 25	6 45		1 35		1 0	20	25		2 00	1 50							15 00
McVey, James M		5 00	3 25	2 00		25						2 00	1 50							15 00
Newcomb, H. C.				1 20		40	40					1 00	3 00						9 00	15 00
O'Brien, John R						80					5 00	1 00	4 06		10	25	40	75	1 7	15 00
Olleman, E. A	2 20		5 60	2 50	25	35	8	10	05	25		1 00	1 50				40			15 00
Osborn, R	60	1 00	45	65		20	40			25		1 00	2 00							6 53
Pettit, John U.																				
Patterson, John B.		1 00	90	1 50		1 00	60	20	10	48		1 00	3 75							10 53
Perigo, Robert	2 0	3 00	4 25	1 20		65	40					1 00	1 50							15 00
Pinney, Haskill N			45		25				15	05		3 00	2 25	10		25			8 60	16 00
Prather, Hiram	5 00		4 25	1 00		25						2 00	3 00							15 00
Reese, Thomas W			2 25	1 25	25	1 00						1 09	6 00							14 75
Rhoads, B. E.	1 36		1 35		75	60			05	15		1 50	4 0				10		5 90	15 00
Rice, Thomas N	4 20		2 70			1 77					6 00	24	09							15 00
Richards, John	1 8	5 87	4 25			20	20	30	10	28		50	75	75						15 00
Richardson, J. W	60	50	45		25							2 00	3 00						8 20	15 00
Riford, Joseph	35		25	1 25		40		50	10	25	9 00	1 0	1 38				50			15 00
Roach, H. L.			2 06				40			51	7 0	2 0	3 00							15 00
Sabin, Stephen C.	1 30	1 00	1 80	50		20	20		25	8 0		1 05			10		50	10		15 00
Shoaff, Jno. P.			45	00		05					9 00								1	15 00
Shoaff, S. A		50	4 75	4 50		6	70			5		2 0	1 50							15 00
Shuey, Michael F.	2 60		9		50	20				25	8 00		1 95	10			50			15 00
Sim, John	60		1 13	2 40	2	6	4	50	30	25		1 00	4 50							15 00
Spencer, Elijah M												1 00	3 00		10				10 90	15 00
Stewart, David M			90	1 00		20	40		11			2 00				50			10 00	15 00
Stenger, John C.	2 40		2 55		25	20		2 00	20	1 05		1 50	1 50			2				15 00

Stationery Account of Members of the House of Representatives.

MEMBERS OF THE HOUSE.	Legal Cap Paper.	Foolscap Paper.	Cong. Letter Paper.	Commerc'l Note Paper	Legal Envelopes.	Buff Letter Paper.	White Letter Paper.	Lead Pencils.	Pen Holders.	Steel Pens.	Gold Pens.	Two Cent Stamps.	Three cent Stamps.	Ink.	Blotting Pad.	Mucilage.	Ink Stands.	Erasers.	Stationery at Merrill's.	Total.
Stivers, William	.....	.....	.....	.....	.....	.....	.....	.....	...	.....	.....	2 00	2 00	...	...	...	...	.....	10 00	15 00
Stringer, Thomas M	.....	1 50	1 35	.....	25	.....	15	.....	...	.....	.....	12 00	.....	...	...	...	...	.....	.....	15 60
Stuckey, John M	.....	.....	1 80	.....	.....	60	.....	.....	...	10	7 00	1 00	4 50	...	...	...	...	.....	.....	15 00
Sullivan, Thomas M	1 20	1 00	2 25	2 50	.....	1 20	1 40	.....	...	.....	.....	1 00	3 75	...	...	...	...	.....	.....	14 30
Sullivan, George C	1 20	1 00	2 03	25	25	.....	40	.....	...	25	.....	2 00	3 00	...	...	...	...	.....	.....	10 79
Thatcher, George C	.....	.....	.....	.....	.....	.....	.....	.....	...	.....	10 00	2 00	3 00	...	...	...	45	.....	.....	15 00
Trusler, Gilbert	.....	.....	45	.....	.....	20	.....	.....	...	.....	.....	2 00	12 00	...	...	...	...	.....	... .	14 65
Upson, H. W	.....	.....	.....	.....	.....	.....	.....	.....	...	.....	.....	2 00	.....	...	...	...	...	.....	13 00	15 00
Veach, A. C	.....	3 00	90	.....	.....	.....	.....	10	...	.....	6 00	4 00	1 00	...	...	...	...	.....	.....	15 10
Weikel, John	.....	.....	4 55	.....	.....	.....	20	.....	...	25	5 00	2 00	3 00	...	...	...	...	....	.....	15 00
Welch, Augustus	.....	.....	.....	.....	.....	.....	.....	.....	...	.....	.....	2 00	1 00	...	...	...	...	.....	11 00	15 00
White, John H	60	5 00	.....	.....	.....	.....	.....	.....	15	1 25	6 00	59	75	75	...	...	...	.....	.....	15 00
Woodruff, J. E	1 30	1 00	.....	50	.....	40	.....	1 00	...	.....	.....	80	3 00	...	...	...	...	.....	7 00	15 00
Wright, J. S	60	1 00	1 35	25	.....	40	.....	.....	...	25	.....	4 50	6 00	...	...	25	...	.....	.....	15 00
Woods, Bartlett	.....	.....	2 13	1 50	25	20	40	1 00	20	1 50	.....	3 00	3 00	75	10	...	60	.....	.....	14 63
Zeigler, Philip	3 60	1 00	90	75	22	80	20	20	05	35	.....	2 50	4 00	10	05	25	..	.....	.....	15 00
Gross Amount	.....	.....	.....	.....	.....	.....	.....	.....	...	.....	.....	.....	.....	...	...	...	...	.....	.....	$1395 77

Stationery Account of Officers of the House, on Private Account.

SPEAKER AND CLERKS OF THE HOUSE OF REPRESENTATIVES.	Legal Cap Paper.	Congress Letter Paper	Legal Envelopes.	Buff Letter Envelopes.	Lead Pencils.	Three Cent Stamps.	Two Cent Stamps.	Ink Stands.	Stationery at Merrill's.	Total.
John U. Pettit, Speaker	.....	.....	.....	50	.....	6 48	1 02	.....	.....	10 00
Cyrus T. Nixon, Clerk	.....	.....	.....	.....	.....	10 00	.....	.....	.....	10 00
F. W. O. Braffett, Assistant	.....	.....	.....	.....	.....	8 00	2 00	.....	.....	10 00
R. O. Dormer, Assistant	.....	.....	.....	.....	.....	8 00	2 00	.....	.....	10 00
J. H. Dooley, Doorkeeper	1 00	90	25	.....	10	3 00	.....	40	4 35	10 00
Total	1 00	90	25	2 50	10	27 48	3 02	40	4 35	10 00

Stationery Account of House Committees.

HOUSE COMMITTEES.	Legal Cap Paper.	Foolscap Paper.	Congress Letter Paper.	Commercial Note Paper.	Legal Envelopes.	Buff Letter Envelopes.	White Letter Envelopes.	Lead Pencils.	Pen Holders.	Steel Pens.	Blotting Pads.	Ink.	Ink Stands.	Mucilage.	Rubber Bands.	Record Book.	Total.
Committee on State Debt—Branham	6 00	.....	4 50	2 50	50	2 40	2 40	1 00	20	25	10	.....	.....	25	.....	.....	20 10
Committee on Temperance—Shuey	4 55	3 50	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	50	.....	.....	.....	9 05
Committee on Corporations—James	60	50	90	.....	.....	2	.....	20	.....	06	05	.....	40	25	30	.....	3 46
Committee on Ways and Means—Branham	5 00	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	1 20	6 20
Committee on Judiciary—Newcomb	3 00	.....	2 25	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	5 25
Committee on Sinking Fund—Bonner	60	2 00	1 80	1 00	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	5 40
Committee on Claims—Boyd	1 60	1 00	90	.....	25	.....	.....	60	.....	.....	.....	.....	.....	25	.....	.....	4 60
Committee on Federal Relations—Prather	5 60	15	23	25	50	40	20	60	06	12	10	10	.....	25	.....	.....	8 66
Committee on Roads—White	6 00	4 50	.....	2 40	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	12 90
Committee on Education—Gregory	6 00	2 25	2 13	1 20	25	20	.....	.....	10	.....	.....	.....	.....	25	.....	.....	12 68
Committee on Rights and Privileges—Burnes	12 00	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	12 00
Committee on State Library—Stewart	1 20	.....	1 35	50	50	40	20	50	05	25	.....	75	50	25	.....	.....	6 45
Committee on County and Township Business—Stivers	3 00	3 00	4 05	75	.....	1 40	.....	70	20	1 25	20	30	.....	75	.....	.....	15 60
Committee on Swamp Lands—Church	1 20	.....	44	.....	.....	.....	.....	10	05	25	05	75	50	.....	.....	.....	3 35
Committee on Northern Prison—Griffith	.....	75	1 47	.....	.....	.....	.....	20	.....	.....	.....	.....	.....	.....	.....	.....	2 42
Committee on Canal Fund—Woodruff	.....	4 00	.....	.....	.....	.....	.....	.....	.....	25	.....	.....	.....	.....	.....	.....	4 25
Committee on Railroads—Lockhart	5 00	5 00	.....	2 00	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	12 00
Committee on Benevolent Institutions—Meredith	.....	.....	8 50	.....	.....	2 40	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	10 90
Committee on Military Affairs—Trusler	.....	.....	8 50	2 00	.....	.....	.....	.....	.....	.....	.....	.....	.....	50	.....	.....	11 00
Committee on Enrolled Bills—Rhoads	.....	.....	90	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	90
Total																	167 17

Stationery Account of Officers of the House.

SPEAKER AND CLERKS OF THE HOUSE.	Legal Cap Paper.	Foolscap Paper.	Congress Letter Paper.	Com'rcial Note Paper.	Enrolling Paper.	Legal Envelopes.	Buff Letter Envelopes.	White Letter Envelopes.	Lead Pencils.	Pen Holders.	Steel Pens.	Paper Weights.	Ruler.	Pounce.	Carmine.	Ink Stands.	Ink.	Blotting Pads.	Mucilage.	Rubber Bands.	Erasers.	Rubber.	Ribbon.	Total.
John U. Pettit, Speaker, (for use of the House)	.....	1 50	5 40	50	...	50	40	20	60	25	37	.....	1 00	...	...	2 10	75	20	50	.....	75	05	.....	$15 07
Cyrus T. Nixon, Clerk	.....	.....	48 73	...	25	2 00	2 20	.....	4 00	75	6 35	2 00	3 00	35	75	4 95	1 50	90	25	5 50	4 50	15	.....	87 53
F. W. O. Braffet, Assistant	.....	.....	34 50	...	...	25	20	.....	2 00	40	1 25	2 15	.....	...	...	2 50	1 50	90	25	1 10	75	.....	.....	47 90
R. O. Dormer, Assistant	6 60	.....	71 95	...	...	1 00	1 60	40	5 00	20	2 75	.....	.....	...	...	.....	2 25	70	25	.....	3 75	.....	2 70	99 95
																								$250 37
Total used by Clerks	.....	.....	.....	...	...	.....	.....	.....	.....	.....	.....	.....	.....	...	...	.....	.....	.....	.....	.....	.....	.....	.....	$255 30

RECAPITULATION.

Total amount of stationery, &c., furnished to Clerks of the House	$250 37
Amount drawn by Clerks of the House on private account,	30 00
Amount drawn by Doorkeeper	10 00
Amount drawn by Committees of the House	167 17
Total amount of stationery, stamps, &c., furnished to Members	1,395 77
Total	$1,853 31

To meet the above expense, I have furnished the Committee on Claims with bills as follows:

Nov. 28,	Stationery from Chandler & Co.	$194 90
Dec. 12,	" " "	229 95
" 18,	" " Merrill & Co.	243 30
" 18,	" " H. C. Chandler & Co	66 40
" 20,	" " Merrill & Co.	99 10
Money drawn for stamps		500 00
Total		$1,333 65

We had on hand in the Library in the beginning of the session a large amount of stationery turned over by the Clerks of the last General Assembly. This we exhausted before making any purchase. The combined amount of stationery, &c., furnished both branches of the Legislature is $3,271.49. The amount purchased, as per bills rendered, is $2,744.85. Thus leaving $526.64 furnished from paper on hand. We have now in the Library about two hundred dollars worth of stationery, which, in addition to that placed upon the desks of members at the opening of the session, will make near $1,000 worth furnished from the stock on hand at the beginning of the session.

Trusting that the above report will prove satisfactory to your honorable body, I am, as ever,

Respectfully yours,

B. F. FOSTER,
State Librarian.

The Speaker laid before the House the following receipts for stationery furnished Reporters, by R. O. Dormer, Assistant Clerk:

INDIANAPOLIS, Dec. 21, 1865.

I suppose that, under the Church Resolution, I have received from R. O. Dormer, Assistant Clerk's Desk, about one quire of cap paper for each entire working day of this extra session, as Reporter, say 25 quires.

A. E. DRAPIER.

Received of R. O. Dormer, Assistant Clerk of the House, under a resolution thereof, entitling reporters to stationery, paper, daily.

CHARLES P. BAYMILLER,

Reporter for Indianapolis Telegraph, (German,) Cincinnati, Enquirer, Chicago Times, N. A. Ledger, Louisville Courier, and Louisville Journal.

A Message from the Senate, by Mr. Wilson, their Secretary.

MR. SPEAKER:

By direction of the Senate, I herewith return to the House bill No. 270, agreeably to request of House.

Message from the Governor, by Mr. Jacobs, his Private Secretary.

MR. SPEAKER:

I am directed by His Excellency, Conrad Baker, Lieut. Governor, acting as Governor, to inform the House of Representatives that he has this day approved House bills numbered and entitled as follows, to-wit:

House bill No. 68, entitled "an act authorizing Boards of County Commissioners in this State to make donations and receive subscriptions for the purpose of erecting a monument to the memory of those from their several counties who have lost their lives, and who may lose their lives, in the present war for the restoration of the Union."

Also, House bill No. 88, entitled "an act to authorize High Schools, Academies, Colleges, Universities, Theological Institutions, and Missionary Boards, formed under the General Laws of this State, to change their corporate names."

Also, House bill No. 117, entitled "an act to amend sections

thirty-nine, forty-two, Forty-five and fifty-four of an act, entitled 'an act for the incorporation of Insurance Companies, defining their powers, and prescribing their duties,'" approved June 17, 1852.

Also, House bill No. 95, entitled "an act to enable railroads to alter their lines in certain cases."

Also, House bill No. 123, entitled "an act to declare forfeited the right of way of certain Railroad Companies to branch roads, no part of which has been completed, and upon which no work has been done for ten years, and declaring that the right of way aforesaid shall revert to the land owners along the route thereof."

Also, House bill No. 164, entitled "an act to provide for locating and working highways situated upon, and contiguous to, or near by county lines."

Also, House bill No. 189, entitled "an act to amend section fifty-two of an act, entitled 'an act to amend an act to authorize and regulate the business of general banking, passed the House and Senate of the General Assembly, the Governor's objections thereto notwithstanding, on the 3d day of March, 1855.'"

Also, House bill No. 237, entitled "an act to amend section thirty-five of an act to provide for a general system of Common Schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of Township Libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed," approved March 6, 1865.

Also, House bill No. 253, entitled "an act to amend the eighth section of an act entitled 'an act to fix the time of holding the Common Pleas Courts in the several counties in this State, the duration of the terms thereof, and making all process from the Common Pleas Courts returnable to such terms, and declaring when the same shall take effect, and repealing all laws inconsistent therewith,' approved March 5, 1859, and which eighth section was amended and approved March 11, 1861."

Also, House bill No. 255, entitled "an act supplemental to an act entitled 'an act for the incorporation of Insurance Companies, defining their powers and prescribing their duties,'" approved June 17, 1852.

Also, House bill No. 256, entitled "an act for the incorporation of Hydraulic Companies and defining their powers and duties."

Also, House bill No. 263, entitled "an act to provide by law to prevent conductors running railroad trains from obstructing any public highway or street, to the hindrance of travel, and prescribing penalties therefor."

Also, House bill No. 270, entitled "an act fixing the *per diem* and mileage of members of the General Assembly, Secretaries, Clerks, Doorkeepers, and other employees thereof."

Also, House bill No. 276, entitled "an act to authorize County Auditors to isse fee bills for the collection of costs accrued before Boards of County Commissioners."

Also, House bill No. 277, entitled "an act to amend sections two and five of an act entitled 'an act providing for an organization of Circuit Courts, the election of Judges thereof, and defining their powers and duties,' approved June 1, 1852, and providing for criminal and Circuit Courts."

Also, House bill No. 278, entitled "an act creating the Sixteenth Judicial Circuit, and providing for the election of a Judge and Prosecuting Attorney thereof, and providing compensation therefor, and declaring its jurisdiction, and providing for a transfer of actions thereto."

Also, House bill No. 279, entitled "an act to amend sections nine and ten of an act entitled an act prescribing the powers and duties of Justice of the Peace in State prosecutions."

Also, House bill No. 280, entitled "an act to amend section fourteen of an act entitled an act to limit the Grand Jurors, and to point out the mode of their selection, defining their jurisdiction and repealing all laws inconsistent therewith, approved March 4th, 1852."

Also, House bill No. 299, entitled "an act to legalize the official acts of certain officials therein named and the acts of their deputies as such, while the principals were performing military service in the Army of the United States.

And also, Joint Resolution No. 20, House of Representatives entitled "a Joint Resolution instructing our Senators and requesting

our Representatives in Congress to secure the passage of a law by which the soldiers and officers of the war for the suppression of the rebellion shall be placed as near as possible upon an equal footing in the bounty or bounty and monthly pay as is just and right, according to the length of time each has served the country in the said war, and recommending the granting of pensions to soldiers of the late war of 1812 who have remained loyal to the country."

Also, House bill No. 285, entitled "an act to provide a State Debt Sinking Fund, for the payment of the principal and interest of the five and two and one-half per cent stocks of the State therein named, and giving priority of payment to the holders of the two and one-half per cent stocks of the State of Indiana, prescribing the duties of the Auditor, Treasurer and Agent of State in relation thereto providing for a clerk of said State Debt Sinking Fund, and fixing his salary, and providing a penalty for the violation of its provisions, abolishing the Board of Sinking Fund Commissioners and all officers connected therewith and the office of the agent of State in the City of New York; to invest the moneys belonging to the Sinking Fund in the stocks of the State, transferring the business of said Board of Sinking Fund Commissioners to the Auditor and Treasurer of State, providing that the tax therein levied shall be taken and considered as part of the tax levied under an act entitled "an act to raise revenue for State purposes for the years 1865 and 1866," approved March 2, 1865, and declaring an emergency for the immediate taking effect of this act.

Also, House bill No 207, entitled "an act regulating foreign insurance companies doing business in this State, prescribing the duties of the agents thereof, and of the auditor of State in connection therewith and providing penalties for the violation of the provisions of this act, and that the same have been deposited in the office of the Secretary of State.

MR. SPEAKER:

The Joint Committee on Enrolled bills, respectfully report that on Wednesday December 20th, 1865, they presented to his Excellency the acting Governor of the State for his approval and signature enrolled acts of the House Nos. 254, 239, 207, 285, 211, 135, 187, 328 and 320.

SPECIAL ORDER OF THE DAY.

Mr. Newcomb's resolution was informally laid over.

Mr. Cowgill, from the special committee appointed to act with a like committee from the Senate, made the following report:

MR. SPEAKER:

The select committee of the House, appointed to act with a like committee from the Senate in referrence to a resolution of the House adopted March 4, 1865, and a similar resolution of the Senate March 6, 1865, have had the same under consideration, and find the following to be the facts:

When the resolution was offered in the House it was expected that four volumes would contain the report and that 2000 copies would be a sufficient number.

The resolution of the Senate did not contemplate a work of the kind under the resolutions.

The Adjutant General has made his report and placed the manuscript in the hands of the printer, who has printed 4,500 copies of one volume and about one third of another containing the roster of the officers. The other volumes will contain the history of the non-commissioned officers and privates. In reference to the number of copies the committee would recommend that of the remaining volumes the same number, to-wit, 4,500 be printed and that they be disposed of in the manner prescribed by the following concurrent resolution now in the senate.

First. Fifteen hundred copies to be retained by the Adjutant General for sale, as provided in said concurrent resolution.

Second. One copy to each of the Township Libraries in this State.

One to each County Clerk Auditor and Recorder.

One to each County and other Public Library.

One to each Adjutant General of the States and Teritories.

One to each State Library.

One to each member of the General Assembly.

Fifty copies for the use of the Departments at Washington.

Twenty copies for the use of the State officers.

One to each of the leading governments of Europe.

And the remainder to be deposited in the State Library for preservation and safe keeping.

The following communication has been received from W. R. Holloway, Esq., State Printer, which is appended to and made a part of this report:

INDIANAPOLIS, IND, December 14th, 1865.

HON. D. C. BRANHAM,

Chairman Committee on Adjutant General's Report:

SIR:—I will print and bind 4,500 copies of the Adjutant General's Report, furnishing paper and all materials, in a style corresponding with the volume already issued, at one dollar and ninety cents ($1.90) per volume. The number of volumes yet to be issued, not to exceed six making seven for the complete set, the volumes to average 700 pages each. The third volume is already in press, and about one third of an edition of 4,500 copies printed. If three thousand copies are ordered of any of the volumes not yet printed, the price will be two dollars ($2,00) per volume.

The copies intended for Township and other libraries will be bound in full leather, library style, without additional charge.

Very respectfully,

Your obedient servant,

W. R. HOLLOWAY, *State Printer.*

Which report was laid on the table.

A message from the Senate by Mr. Wilson their Secretary.

MR. SPEAKER:

I am directed by the President of the Senate to inform the House of Representatives that he has signed enrolled act No. 256 of the Senate, and the same is respectfully transmitted to the House of Representatives for the signature of the Speaker thereof.

Also, enrolled acts Nos. 135, 211 and 320 of the House of Representatives, and the same are respectfully returned.

Mr. Newcomb's resolution was taken up.

Pending the adjournment, was the amendment offered by Mr. Newcomb.

Mr. Buskirk offered the following amendment:

And if the Governor cannot make an arrangement with the owners,

of the lessees of the owners for the use and occupation of the premises after the 1st day of next June, without the State becoming responsible for the rent, then he shall sell or cause to be removed, the buildings and improvements before the expiration of the lease, the proceeds to be applied by him, for the benefit of meritorious wounded and disabled Indiana soldiers, and of which application he shall report to the next session of the General Assembly.

Which was accepted by Mr. Newcomb.

Mr. Newcomb moved the previous question.

Which was seconded by the House.

The question being, shall the main question be now put?

It was so ordered.

The question being on the adoption of the resolution offered by Mr. Newcomb, as amended by Mr. Buskirk.

The same was agreed to.

SPECIAL ORDERS.

Mr. Buskirk called up the concurrent resolution, offered by him, and heretofore reported.

Mr. Hamrick moved to amend by striking out "five," and inserting "three."

Mr. Olleman moved to lay the resolution on the table.

Messrs. Olleman and Burnes demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Atkinson, Bird, Bonner, Boyd, Branham Brown, Burnes, Burton, Caldwell, Collins, Cox, Croan, Crook, Davidson, Ferris, Foulke, Glazebrook, Gleason, Goodman, Gregg, Gregory of Montgomery, Gregory of Warren, Groves, Hargrove Henricks, Hershey, Hoover, Hunt, James, Kilgore, Lasselle, Lemon, Lopp, McVey, O'Brien, Olleman, Osborn, Prather, Sabin, Shuey, Stewart, Stivers, Stringer, White, Woodruff, Woods and Mr. Speaker—47.

Those who voted in the negative were,

Messrs. Burwell, Buskirk, Chambers, Coffroth, Cowgill, Dunham, Griffith, Hamrick, Harrison, Higgins, Lane, Litson, Lockhart, Mere-

dith, Miller, Milroy, Montgomery, Newcomb, Pinney, Reese, Rhoads, Rice, Roach, Spencer, Stenger, Stucky, Thatcher, Trusler, Veach and Weikel—30.

So the motion to lay on the table prevailed.

A message from the Governor, by Mr. Jacobs, his Private Secretary:

Mr. Speaker:

I am directed by the Governor, to inform the House of Representatives that he has approved and signed the following enrolled bills thereof, to-wit:

No. 254, entitled, "an act to amend the 5th, 14th and 17th sections of an act entitled, an act incorporating the town of Huntington," approved February 16, 1848.

No. 135, entitled, "an act to amend the 651st section of an act entitled, an act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleadings and practice without distinction between law and equality," approved June 18, 1852.

No. 211, entitled, "an act to enable common carriers to dispose of unclaimed freight and baggage."

No. 320, entitled, "an act to regulate swing bridges across the several canals, feeders, rivers and streams, in this State, and prescribing a penalty for injuring the same, or interrupting the free passage thereof, and matters, properly connected therewith, and declaring an emergency."

And that the same have been deposited in the office of the Secretary of State.

A message from the Senate, by Mr. Wilson, their Secretary.

Mr. Speaker:

I am directed by the President of the Senate, to inform the House that he has signed enrolled act of the Senate No. 24, and presents the same for the signature of the Speaker.

The Speaker announced that he had signed House bills, Nos. 211, 135, 320, 187 and 328.

A message from the Senate, by Mr. Wilson, their Secretary.

MR. SPEAKER:

I am directed by the President of the Senate to inform the House, that the Senate has concurred in the following resolution of the House, to-wit: On the subject of the transfer, of the government hospital at Jeffersonville.

SPECIAL ORDER.

The hour having arrived for the consideration of the following concurrent resolution, offered by Mr. Pettit.

Concurrent Resolution on the subject of foreign interference in Mexico, and the rule of neutral and belligerent rights.

Resolved by the House of Representatives, the Senate concurring therein, That it is the sense of this General Assembly, in reference to the existing state of things in Mexico, that the United States should respectfully, but firmly, assert and maintain, against foreign governments, at all proper times and places, the separate and independent right of that people, without any foreign interference, influence or control whatever, to continue, or establish and maintain the government and policy of its own choice, and, specially, to assert and maintain, that this question shall not be allowed to be affected by the introduction of foreign governments, of foreign levies, mercenaries, armies or military provisions into that country; and that every future or further attempt at such influence, control or interference will be justly regarded as aggressive and injurious to our own policy and interests, and to ourselves.

Be it further Resolved, as the sense of this General Assembly, That without any purpose of forsaking the just and humane obligations of national friendship and comity, as required by public law, and especially when strengthened by treaties of amity, by which the United States has been steadily governed, but as a means of compelling conformity to the same rule of other governments, it is the duty of the United States, until the obligation of the rule is acknowledged by them to apply to such other governments the same construction of neutral and belligerent rights, as to their internal and external enemies they have applied to us, in derogation of the public laws.

Be it further resolved, that the Governor be requested to communicate copies of these resolutions to the President of the United States, and to the State Senators and Representatives in Congress.

Mr. Dunham moved to amend by striking out the first line of second page, these words: "and by means entirely adequate to effect it."

The question being on agreeing to the amendment.

Messrs. Kilgore and Chambers demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Atkinson, Bird, Branham, Brown, Burnes, Burwell, Buskirk, Church, Collins, Cook, Cox, Croan, Dunham, Glazebrook, Gregory of Warren, Griffith, Hamrick, Harrison, Hershey, Hogate, Humphreys, Hunt, James, Lane, Lopp, Newcomb, Osborn, Pinney, Rhoads, Rice, Roach, Sabin, Shoaff of Jay, Spencer, Stivers, Stringer, Stuckey, Thatcher, Upson, White and Woods—41.

Those who voted in the negative were,

Messrs. Abbett, Bonner, Boyd, Chambers, Coffroth, Cowgill, Davidson, Ferris, Gleason, Gregg, Gregory of Montgomery, Hargrove, Henricks, Hoover, Kilgore, Lasselle, Litson, Lockhart, Miller, Montgomery, McVey, Olleman, Prather, Reese, Riford, Shuey, Sim, Stewart, Stenger, Trusler, Veach, Weikel, Welch, Wright, and Mr. Speaker—35.

So the motion to strike out prevailed.

The question being on adopting the resolution as amended.

Mr. Brown moved the previous question.
Which was seconded by the House.

The question being, shall the main question be now put?
It was so ordered.

The question being on agreeing to the resolutions as amended?

Messrs. Olleman and Brown demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Abbett, Atkinson, Bird, Bonner, Boyd, Branham, Brown,

Burnes, Burton, Buskirk, Church, Coffroth, Cook, Cowgill, Cox, Croan, Davidson, Ferris, Foulke, Gleason, Gregg, Griffith, Groves, Hamrick, Hargrove Harrison, Henricks, Hershey, Hogate Hoover, Hunt, James, Kilgore, Lane, Lasselle, Lemon, Litson, Lockhart, Lopp, Miller, Montgomery, McVey, Newcomb O'Brien, Olleman, Osborn, Pinney, Prather, Reese, Rhoads, Rice, Riford, Roach, Shoaff of Jay, Shuey, Sim, Spencer, Stewart, Stenger, Stivers, Stringer, Stucky, Sullivan of P. and V., Thatcher, Trusler, Upson, Veach, Weikel, Welch, White, Wright, Woods and Mr. Speaker—73.

Mr. Higgins voting in the negative.

So the resolutions were adopted.

Ordered That the Clerk inform the Senate thereof.

Mr. Branham moved to take up the following concurrent resolutions of the Senate, to-wit:

Be it resolved, by the Senate, the House concurring, That the proposition of W. R. Holloway, made to the select committee of the two Houses, on the Adjutant General's Report, and dated December 14, to print 4,500 copies of said report, be and the same is hereby accepted, and that he be authorized to continue the publication of said report on the terms and conditions therein named, and that the said reports be distributed and disposed of as follows:

First: Fifteen hundred copies retained by the Adjutant General, and by him turned over to the State Librarian who shall sell the same at their cost price per volume, and shall pay the money so received from such sale, into the State Treasury. Said Librarian shall make a full and complete report of the sales, stating the number of volumes sold, and the number of volumes remaining in his hands, to the General Assembly on the first Monday of each subsequent session, as long as there may be any remaining unsold, and he shall submit with said report, the State Treasurer's receipts for any and all money he may have paid into the State Treasury on account of said sales.

Second, One copy to each of the Township Libraries in this State; one copy to each County Clerk, Auditor and Recorder, to be retained in their respective offices for reference; one to each County and other public Library; one to the Adjutant General of each State and

Territory, to be forwarded by the Adjutant General of this State; one to each State Library to be distributed by the State Librarian; one to each member of the present General Assembly of the State of Indiana; fifty copies for the use of the departments at Washington city, D. C.; twenty copies for the use of the State officers; one to each of the leading Governments of Europe and the Continent, to be forwarded by the Governor through the officers of the United States Government, and the remainder of said reports to be deposited in the State Library for preservation and safe keeping. The State Librarian shall append to his report required by the first resolution herein, a full statement of the number of volumes distributed, and to whom distributed, and the number not distributed, together with the number deposited in the State Library.

Third, That it shall be unlawful for any Librarian to allow any one of said reports or any volume thereof to be taken out of the Library, but he shall keep said report in the Library for preservation and reference, and it is hereby made the duty of the State Printer to print and paste on the inside cover of volume one, this resolution:

Fourth, So much of the resolution of each House passed at its last session as relates to the distribution of said reports is hereby repealed and recinded.

Mr. Higgins moved to strike out "1500 copies to be deposited in the State Library."

Mr. Lockhart moved the previous question.
Which was seconded by the House.

The question being, shall the main question be now put.

It was so ordered.

The question being on agreeing to the amendment.
It was not agreed to.

The question being on the adoption of the resolution.
It was agreed to.

Mr. Newcomb offered the following concurrent resolution:

A concurrent resolution authorizing the State Librarian to receive the books and archieves of the Indiana Historical Society:

Be it Resolved, That the State Librarian be, and he is hereby authorized to receive in his charge and care, the books, records, archives and property of the Indiana Historical Society from any of the officers thereof, and preserve the same with the property of the State Library.

Which concurrent resolution was concurred in.

SPECIAL ORDER.

Mr. Cowgill called up the resolution, offered by him some days ago.

Mr. Miller offered the following amendment:

Resolved, That the Governor of the State of Indiana is hereby instructed and required to appoint a committee of three discreet and disinterested persons whose duty it shall be to inquire and ascertain:

1st. Whether the Sinking Fund Commissioners have retained in the office of said Commissioners any moneys which by law should have been distributed to the counties for school purposes, or to be loaned by counties for the benefit of schools, or invested in the stocks of the State, or any other securities for the benefit of the School Fund; and if they find they have so retained any portion of said funds, how much, and for what length of time.

2d. Whether the President of the Sinking Fund Board, or any of the Commissioners of said board, has used the funds of any trust, or any portion thereof, for his or their own private gain or profit, or the gain or profit of any corporation, association, or partnership of which he or they may have been a member, or in which he or they may have had any interest, and if so how much and for how long.

3d. Whether the President of the Sinking Fund Commissioners, or any members of the Board thereof, has used said funds, or any portion of the same, either directly or indirectly, in purchasing and speculating in gold stocks or bonds, and especially whether they were so used in the purchase of Indiana State Stocks or Bonds for private speculation and gain, and, if so, how many of said bonds or stocks were purchased, and for what price.

4th. Whether the said President, or any of said Commissioners, have used the moneys of said fund in banking, or have deposited the same, or any part thereof, in any bank or banking house in which he or they have had any interest, and whether the same, if so used, or deposited, was used in the business of said bank or banking associa-

tion for the profit of the same; whether any interest was allowed for the use of said funds by the bank or banking house using the same, and if so, whether said interest has inured to the benefit of the Trust Fund, or that of the President and Commissioners of said fund, or any one of them.

5th. *Resolved*, That said committee shall have full power to send for persons and papers, may examine witnesses under oath, and also examine the books, accounts and papers of the office of the Sinking Fund Commissioners for the purpose of ascertaining the facts required to be known under these resolutions, and if upon investigation they find that said fund, or any portion thereof, has been used for the private gain of the president and members of said commission, or any of them, the committee shall report the amount so used, the length of time for which it was used, and the sum realized for profit, the interest that should or might have been made for the fund; and the Governor is instructed to direct the Attorney General to institute suit against the president or commissioners so using or misapplying said funds for gain or profit, or permitting the same to be so used for the benefit or profit of others while under their control or direction.

6th. That said committee, when the investigation shall have been concluded, shall make a report to the Governor of the State.

Mr. Woods moved the previous question.

Which was seconded by the House.

The question being, shall the main question be now put?

It was so ordered.

The question being on the adoption of the amendment offered by Mr. Miller.

The same was agreed to.

The question being on the adoption of said Concurrent Resolution as amended.

It was adopted.

Ordered, That the Clerk inform the Senate thereof.

Mr. Branham, from the Committee on Ways and Means, obtained leave and made the following report.

MR. SPEAKER:

The Committee on Ways and Means, beg leave to report that all

matters referred to them have been considered and disposed of, with the following exceptions: engrossed Senate bill No. 118, and House bill No. 233 which are herewith returned to the House. And they further report that the books and papers appertaining to the business of said Committee, and also the record of proceedings of the joint Committee on the State Debt, have been deposited in the State Library for which the receipt of the State Librarian has been taken and is appended to and made a part of this report:

"INDIANAPOLIS, December 21, 1865.

"Received of S. A. Hoover Esq., Clerk Committee Ways and Means, House of Representatives, the books and papers belonging to said Committee. Also books and papers of the Joint Committee on the State Debt. Also balance of Stationery on hand.

B. F. FOSTER, *State Librarian.*"

Which report was laid on the table.

Mr. Henricks in the chair.

Mr. Coffroth moved that the House do now adjourn.

Mr. Pettit asked Mr. Coffroth to withdraw his motion to adjourn, that the following resolution might be read for information:

Resolved by the House of Representatives, the Senate concurring therein, that having been informed in some instances the shares of National Banks organized before the first of January under the act of Congress of June 3d, 1864, entitled "an act to provide a national currency, secured by a pledge of United States Bonds, and to provide for the circulation and redemption thereof," have been omitted from the taxable property, listed and assed for all purposes of taxation, it is the sense of this General Assembly that the same is subject to taxation for the year 1865, and thereafter, and that it is the duty of the officers of the respective counties, charged with the assessment and collection of taxes, to cause the same to be assessed and that taxes be collected thereon, for the present year, and hereafter in compliance with the laws of this State.

The resolution having been read, objections were made by Messrs. Coffroth, Dunham and Brown.

The question being on the motion by Mr. Coffroth to adjourn.

Which was not agreed to.

Mr. Pettit having the floor, moved that, the order of business be suspended to allow him to offer the foregoing resolution:

The Speaker ordered a call of the House, when the following members answered to their names:

Messrs. Atkinson, Bird, Bonner, Boyd, Branham, Brown, Buskirk, Coffroth, Collins, Cowgill, Cox, Croan, Davidson, Dunham, Foulke, Gleason, Gregg, Gregory of Warren, Groves, Hamrick, Hargrove, Harrison, Henricks, Hershey, Higgins, Hogate, Kilgore, Lane, Lemon, Litson, Lockhart Lopp, Miller, Montgomery, McVey, Newcomb, Olleman, Prather, Reese, Riford, Roach, Sabin, Shoaff of Jay, Sim, Stewart, Stivers, Trusler, Upson, Welch, Wright, Woods and Mr. Speaker—51.

When, on motion by Mr. Olleman,
The House adjourned.

FRIDAY MORNING, 9 o'clock,
December 22, 1865.

The House met pursuant to adjournment.

On motion, the reading of the Journal was dispensed with.

Mr. Brown moved to strike out all that part of the Journal which makes reference to the resolution which the gentleman from Wabash attempted to offer to the House, which resolution relates to the authority and propriety of this State to tax the stocks of National Banks.

By unanimous consent, the order of business being suspended,

Mr. Burnes, from the Committee on Rights and Privileges, made the following report:

Mr. Speaker:

The Committee on Rights and Privileges, to whom was referred

Senate bills Nos. 52 and 127, would respectfully return the same to the House of Representatives and ask to be discharged from further consideration of the same.

Which report was laid on the table.

By unanimous consent, the regular order of business being suspended,

Mr. Burnes, from the Committee on Rights and Privileges, made the following report:

MR. SPEAKER:

The Committee on Rights and Privileges, to whom was referred House bill No. 174, and pending amendments, would respectfully return the same to the House of Representatives and ask to be discharged from the further consideration thereof.

Which report was laid upon the table.

By unanimous consent, the regular order of business being suspended,

Mr. Burnes, from the Committee on Rights and Privileges, made the following report:

MR. SPEAKER:

The Committee on Rights and Privileges, to whom was referred the petition of James Bovard and others, would respectfully return the same and ask to be discharged from any further consideration of the same.

Which report was laid on the table.

Message from the Senate, by Mr. Wilson, their Secretary.

MR. SPEAKER:

I am directed by the President of the Senate to inform the House that the Senate has concurred in the Concurrent Resolution of the House, to appoint a committee to visit the Indiana State Prisons and make investigation of the same.

Also, that the Senate has concurred in the Concurrent Resolution on the subject of Foreign intervention in Mexico.

Also, that the Senate has concurred in the resolution of the House authorizing the Governor to appoint a committee to inquire into the affairs of the Sinking Fund Commissioners.

Also, that the Senate has concurred in the resolution of the House authorizing the State Librarian to preserve the archives and property of the Indiana Historical Society.

Message from the Senate, by Mr. Wilson, their Secretary.

MR. SPEAKER:

I am directed by the President of the Senate to inform the House that the Senate has passed the following Concurrent Resolution, to-wit:

Resolved by the Senate, (*the House concurring*,) that a committee of two on the part of the Senate, Messrs. Bennett and Bradley, and three on the part of the House, to wait upon His Excellency, the Governor, and ascertain of him whether he has any more communications to make to this General Assembly.

By unanimous consent, the message of the Senate was taken from the Speaker's table and considered.

The Speaker then announced the following gentlemen as said committee on the part of the House: Messrs. Branham, Brown and Lockhart.

A message from the Governor, by Mr. Jacobs, his Private Secretary:

MR. SPEAKER:

I am directed by the Governor to inform the House of Representatives that he has approved and signed the following Enrolled Bills thereof, viz:

House bill No. 187, entitled "an act authorizing and requiring the Commissioners of the State Debt Sinking Fund to make settlement with the Sinking Fund Commissioners for $422,000 of the War Loan Bonds, purchased by the Sinking Fund Commissioners with moneys belonging to the Common School fund; also, the sum of $165,000, moneys belonging to the Common School fund, advanced by the Sink-

ing Fund to pay interest on the State Debt; also, the sum of $33,536.09, Saline Fund, and $22,947, belonging to the Bank Tax Fund: directing the transfer to the Common School Fund of the State of Indiana of so much of the 2½ and 5 per cent. certificates of stock of the State as will, at the price paid for the same, amount to the aggregate of the sums mentioned in this act, authorizing and directing the proper officers of State to issue a bond of the State for the amount thereof, bearing six per cent. interest, payable semi-annually, principal payable and redeemable at the pleasure of the State; directing the Treasurer of State to pass to the credit of the General Fund the several amounts herein specified, and declaring that an emergency exists for the immediate taking effect of this act."

Also, House bill No. 328, entitled "an act making specific appropriations for the years 1859, 1861, 1863, 1865 and 1866.

I am directed also to inform the House that bill No. 158 entitled "an act to secure a just valuation, and taxation of all Railroad property within this State, to legalize the valuation, assessment, adjustment, and payment of taxes for such property made subsequent to the year 1859," was presented to the Governor on the 18th inst, and not having been returned to the House in which it originated with his objections within three days from and after its reception the same has become a law without executive approval

I am further directed to inform the House that enrolled bill No. 239, entitled "an act making general appropriations for the year 1866, repealing certain sections of an act therein named and declaring an emergency," will be approved and filed in the office of the Secretary of State within the time limited by the constitution for that purpose.

By the 22d section of said act, the Auditing Committee are only empowered to examine and audit the claims pending before the Committee at the time of the taking effect of the act. It is highly important that certain claims for services in the Indiana Legion should be filed before the taking effect of the act to the end that such thereof as may be allowed may be presented to the General Government for reinbursement to the State, before the meeting of the next General Assembly.

I have directed the State Paymaster Major Stearns Fisher, to prepare and file such claims immediately, which will be done to-day, after which the said bill will be approved and filed.

The question being on the motion of Mr. Brown to correct the Journal of yesterday,

Messrs. Coffroth and Burwell demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Abbett, Bird, Brown, Burton, Burwell, Buskirk, Coffroth, Collins, Croan, Dunham, Glazebrook, Gregg, Hargrove, Humphreys, Hunt, Lasselle, Lemon, Lopp, Milroy, Osborn, Pinney, Roach, Shoaff of Jay, Spencer, Stuckey, Veach and White—27.

Those who voted in the negative were,

Messrs. Atkinson, Branham, Burnes, Church, Cowgill, Cox, Crook, Davidson, Ferris, Foulke, Gregory of Montgomery, Hamrick, Henricks, Higgins, Hogate, James, Kilgore, Litson, Lockhart, Miller, Montgomery, McVey, Newcomb, Prather, Rhoads, Rice, Riford, Sabin, Shuey, Sim, Stringer, Trusler, Upson, Welch, Wright, Woods and Mr. Speaker—37.

No quorum voting.

The Speaker ordered a roll call, when the following members answered to their names.

Messrs. Abbett, Atkinson, Bird, Boyd, Branham, Brown, Burns, Burton, Burwell, Buskirk, Chambers, Church, Coffroth, Collins, Cook, Cowgill, Cox, Croan, Crook, Davidson, Dunham, Ferris, Foulke, Glazebrook, Gregg, Gregory of Warren, Hamrick, Hargrove, Henricks, Higgins, Hogate, Humphreys, Hunt, James, Kilgore, Lasselle, Lemon, Litson, Lockhart, Lopp, Miller, Milroy, Montgomery, McVey, Newcomb, Osborn, Pinney, Prather, Reese, Rhoads, Rice, Riford, Roach, Sabin, Shoaff of Jay, Shuey, Sim, Spencer Stringer, Stuckey, Trusler, Upson, Veach, Welch, White, Wright, Woods and Mr. Speaker—67.

The question being on the motion by Mr. Brown,

Mr. Hamrick by unanimous consent, offered the following resolution:

Resolved, That the State Printer be authorized to bind and send to each member of the House and to the Officers, Clerks and Reporters thereof, three copies of the Legislative Brevier Reports; also two

copies each of the Senate and House Journals, and two copies of the acts of the present session, all to be bound in full law.

It was agreed to.

Message from the Governor, by Mr. Jacobs his Private Secretary:

Mr. Speaker:

I am directed by the Governor, respectfully to ask leave to withdraw the last message communicating his approval of House bill No. 187, and other House bills, a mistake having occurred in said message.

The question being on agreeing to the motion of Mr. Brown.

The ayes and noes as previously ordered were taken.

Those who voted in the affirmative were,

Messrs. Abbett, Brown, Burton, Burwell, Buskirk, Coffroth, Collin, Croan, Dunham, Glazebrook, Gregg, Humphreys, Lasselle, Lemon, Lopp, Milroy, Osborn, Pinney, Roach, Shoaff of Jay, Stuckey Veach and White—21.

Those who voted in the negative were,

Messrs. Atkinson, Branham, Burnes, Church, Cowgill, Cox, Crook, Davidson, Ferris, Foulke, Gleason, Gregory of Montgomery, Hamrick, Henricks, Higgins, Hogate, Kilgore, Litson, Lockhart, Miller, Montgomery, McVey, Newcomb, O'Brien, Olleman, Prather, Reese, Rhoads, Rice, Riford, Sabin, Sim, Stivers, Stringer, Trusler, Upson, Welch, Wright, Woods, Zeigler and Mr. Speaker—40.

No quorum voting.

Mr. Foulke, by unanimous consent, the regular order of business being suspended, offered the following resolution:

Whereas, Certain papers were presented by the representative from Wayne in proof of a claim in favor of Thomas F. Howells for services rendered in the recruiting service, and whereas said papers are now in the files of the House:

Be it therefore Resolved, That the clerks be directed to take said papers from the files and deliver the same to the Representative from Wayne.

Which was agreed to.

Mr. Foulke, by unanimous consent, from the Committee on Corporations, made the following majority report:

MR. SPEAKER:

The Committee on Corporations, to whom was referred House bill No. 250, have had the same under consideration, a majority have directed me to report the same back and recommend that the same be indefinitely postponed.

Which was agreed to, and the bill indefinitely postponed.

By unanimous consent, the regular order of business being suspended,

Mr. Buskirk, from the Committee on Corporations made the following minority report:

MR. SPEAKER:

The undersigned, minority of the Committee on Corporations to whom was referred House bill No. 250, "an act to repeal an act approved March 2, 1865, to discourage the keeping of useless dogs and providing penalties for the violation of said act, and repealing an act to license dogs, approved March 11, 1865, and providing that nothing in this act entitled an act for the protection of sheep, approved June 15, 1852, being unable to concur with the recommendation of the majority of the Committee that said bill do lie upon the table, desire to submit the following minority report. The minority of your Committee are satisfied that under the act of March 2, 1865, none but usless and sheep killing dogs can be taxed, although a different construction has been placed on the said act. The minority of your Committee can not perceive upon what principle, the owners of good dogs can be taxed, because some other person may own useless and sheep-killing dogs. The tax though small is not regarded by many of our best farmers with favor, and many persons engaged in sheep raising assert that if the dogs, and especially the hounds are killed off, that the foxes will kill more sheep than the dogs. The minority of your committee concede that useless and sheep killing dogs should be killed without any liability against the person killing them, and that the owners of such dogs should be held liable for all damages done by such dogs. The minority of your Committee believe that hounds should be preserved to protect sheep, pigs and poultry, from foxes and other animals, that when thieves and

robbers are committing their depredations all over the State, that the faithful watch dogs should not be taxed or killed off, that when every house and barn in the State is infested with rats, that the rat-terriers should not be taxed or killed."

The minority of your Committee believe that the act should be repealed.

Which minority report was laid on the table.

By unanimous consent, the usual order of business being suspended,

Mr. Prather, from the Committee on Federal Relations, made the following majority report:

MR. SPEAKER:

The committee on Federal Relations, to whom was referred two memorials, numerously signed by citizens of this State, protesting against the pardon of Jefferson Davis, also, a memorial from the Loyal Young Men's Association, of North Venon, Jennings County, Indiana, in relation to the trial of Davis and other leading rebels, also, the resolution offered by the Representative from Perry County, on the same subject, have had the said petition, memorials and resolution under consideration, and a majority of the committee have directed me to report as follows:

In the judgement of a majority of your committee, a rebellion in the interests of Slavery against such a Government as that of the United States, has already been pronounced by the civilized world as a crime against humanity and the enlightenment of the age, and posterity will emphasise the judgment which the present generation has already recorded. The criminality of the attempt to overthrow the Government and erect within its jurisdiction, a hostile government based on the corner stone of human slavery, was only excelled by the barbarity and brutality with which the war that ensued was prosecuted against the loyal people of the United States. The rebellion having been overthrown and the power and authority of the government vindicated and established, it only remains to be decided whether the offence of the authors of the revolt was a political eccentricity, or the blackest crime that ever disgraced the history of civilization. If the former, a humane and magnanimous government should overlook the offence, but if the latter, the violated laws of the country,

the blood of our slaughtered braves, and the security of future generations demand that the authors of so great a crime should not escape. The Constitution of the United States defines treason against the United States to consist only in levying war against them, or in adhering to their enemies, giving them aid and comfort. Can any man doubt that Jefferson Davis and his confederates did levy war against the United States, surely no one of sane mind would hazard such an assertion. If then these men levied war against the United States, the propriety of their trial for treason is unquestionable, unless we subscribe to the doctrine that "one murder makes a villain, whilst a thousand constitutes the hero." In the opinion of a majority of your committee, the fact that, those who waged war against the United States, were so numerous as to render it impracticable as well as undesirable that they should all receive the punishment which justly attaches to the crimes of which they have been guilty, affords no reason why the full penalty of the law should not be visited upon the chief authors and prosecutors of the rebellion. The other reason which is sometimes assigned for the release of Davis and his leading associates, namely, that they owed a paramount allegeance to their respective States, and that when these States attempted to secede, and defied the authority and power of the Government, they were bound to obey their States, as against the National Government, is equally untenable. If there were no other reason for the trial of Davis and his associates, the fact that this doctrine of paramount State allegiance is still urged in some quarters as a complete and full defence to all the enormities of which they have been guilty, would be under such a trial, a moral and political necessity. Let us then insist that war against the Government of the United States, no matter how numerous those engaged in it may be, or by what authority they act, shall be decided by the National Tribunal of last resort to be treason against the Government, and when this decision is made, let the penalty prescribed by law, fall upon the chief traitor and his most conspicuous associates; then, and then only, will the law be vindicated and the public safety in the future assured; then, and then only, will our own people, and the people of other nations who are looking to our example, be assured that the embodiment of the national will in the constitution, declaring, "That the Constitution, and the laws of the United States made in persuance thereof, shall be the supreme law of the land, and that the Judges in every State shall be bound thereby, anything in the Constitution and laws of any

State to the contrary notwithstanding," is a living principal and not a dead letter.

The majority of your committee therefore respectfully report back to the House, the resolution offered by the Representative from Perry county and recommend its passage by the House.

Your committee also recommend the passage of the additional resolution which is herewith respectfully submitted:

Resolved, by the House of Representatives, the Senate concurring, That a law should be immediately passed by Congress, allowing any person convicted of treason against the United States, to prosecute a writ of error to the Supreme Court of the United States, to the end that the law of treason may be settled by that tribunal.

Mr. Coffroth, from the Committee on Federal Relations, made the following minority report:

And be it further resolved, That the said Jefferson Davis, who is hereby declared guilty, shall be hanged upon a "Sour Apple Tree," and that during the said evangelical performance, Chaplain Lozier shall sing the "Glory Hallujah Hymn," and William Lloyd Garrison shall pronounce the benediction as follows: "The Constitution of the United States — a league with hell, and a covenent with death," to which Wendall Phillips shall respond, "So mote it be—I have labored nineteen years to break up this accursed Union, and now thank God, it is broken."

Resolved further, That Salmon P. Chase, Henry W. Beecher and Beast Butler are hereby appointed hangmen.

Mr. Prather moved further to amend, by making Mr. Coffroth the chief mourner for the occasion.

Mr. Brown offered the following amendment:

Insert after the word "Jefferson Davis," Horace Greely, Wm. Lloyd Garrison, Wendall Phillips, Salmon P. Chase, Beast Butler, Garret Smith, Union Slide Banks, Priest Cheever and George W. Julian.

By unanimous consent, the regular order being suspended, the select committee to whom was referred Senate Joint Resolution No. 15, made the following report:

MR. SPEAKER:

The select committee to whom was referred Senate Joint Resolution No. 15, respectfully report that they have had said Joint Resolution under consideration and recommend its adoption.

Mr. Humphreys made the following report:

MR. SPEAKER:

The special committee to whom was referred House resolution No. 28, on the subject of Common Pleas Courts, have directed me to report that they have not had time to duly consider the same, and therefore recommend that said resolution be laid on the table.

By unanimous consent, the order of business being suspended,

Mr. Buskirk offered the following:

Resolved, That the thanks of this House are due, and are hereby, tendered to Cyrus T. Nixon, Principal Clerk, Robert O. Dormer, Assistant Clerk, and David W. Krutts, Reading Clerk, for the ability, efficiency and fidelity with which they have discharged their official duties.

Which was agreed to.

By unanimous consent, Mr. Foulke, from a select committee, made the following report:

MR. SPEAKER:

The undersigned members of the select committee, to whom was referred House bill No. 6, establishing an Agricultural College, would respectfully report that they do not concur in the report made by the Chairman of said committee so far as said bill establishes the location of said College at Bloomington, and creates a commission to locate any part of the lands donated the State.

Which report was laid on the table.

By unanimous consent, the regular order of business being suspended,

Mr. Hogate, from the Committee on Agriculture, made the following report:

Mr. Speaker:

The Committee on Agriculture, to whom was referred House bill No. 298, "a bill to prevent the running at large of swine, prescribing penalties therefor," have had the same under consideration, and have directed me to report the same back to the House, with the recommendation that the emergency clause be stricken out and when so amended recommend that the bill do pass.

Which report was laid on the table.

By unanimous consent, Mr. Branham, from the Joint Select Committee, made the following report:

Mr Speaker:

The committee appointed on the part of this House to act in conjunction with a like committee on the part of the Senate to wait on his excellency Governor Baker, and ascertain whether he had any further communication to make to this House, beg leave to report that they have waited on His Excellency and he has directed us to inform this House that he has no further communication to make.

A message from the Senate, by Mr. Wilson, their Secretary.

Mr. Speaker:

I am directed by the President of the senate to inform the House that the Senate has passed the following resolution, in which the concurrence of the House is respectfully requested:

Resolved by the Senate the House concurring, That this General Assembly do now adjourn *sine die*.

Mr. Brown, by unanimous consent moved to take up the foregoing message from the Senate.

Which was agreed to.

On motion by Mr. Newcomb, the resolution of the Senate was concurred in.

Whereupon the Speaker made the following remarks:

Gentlemen of the House of Representatives:

The effect of the concurrent resolution just agreed upon, is to end the present session of the General Assembly.

Before announcing the result, it is proper I should ask your indulgence while I repeat my thanks for the kind, considerate and uniform support in presiding over your deliberations.

What has been done—and it is much—is now committed to the consideration of those we represent, and with an honest confidence it will be approved.

In separating for the last time from this place of public service, we shall bear away much respect and affection for each other, formed here; and I say it myself, that while many will be remembered in in love, there will be—and there is no mental reservation in this—malice for none.

I commend you all to the welcome and embraces of your homes and friends and families.

And then declared the House of Representatives adjourned *sine die*.

CYRUS T. NIXON,
Principal Clerk.

R. O. DORMER,
Assistant Clerk.

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Number.	TITLES.	Introduced.	Proceedings thereon.	Passed House.	Passed Senate.	Other Proceedings.	Approved.	Introduced by.
203	A bill prescribing the duties of Prosecuting and District Attorneys	10	515					Burns.
204	A bill legalizing the acts of Commissioners in certain cases	11	203, 216					Gregory of W.
205	A bill to provide for a more speedy settlement of the claims against defaulting State and other officers	11						Reese.
34	A bill to amend the 18th section of an act entitled "An act regulating descents and apportionment of estates,"		41					
44	A bill to amend the misdemeanor act		42					
81	A bill to amend an act enabling owners of wet lands to drain and reclaim them		42, 108, 153					
95	A bill to enable railroads to alter their lines in certain cases		42, 328, 464	499				
101	A bill to entitle Recorders to their fees in advance		43					
108	A bill to amend the 55th section of an act to repeal all general laws for the incorporation of cities		43					
121	A bill to cure defective acknowledgments of deeds		44	104	625	667	704	
117	A bill to amend an act incorporating Insurance Companies		44, 232, 477	477	625	680, 681	725	
123	A bill forfeiting the right of way of certain Railroad companies		45, 106, 468	503		466	726	
135	A bill to amend the 601st section of the Practice Act		45	106	706		732	
138	A bill to amend an act to provide for a treasury system		45	107		108		
141	A bill to give Circuit and Common Pleas Judges additional powers in criminal and civil cases		46, 109					
148	A bill to amend the Misdemeanor Act		47, 107					
150	A bill prescribing the number of Senators and Representatives of the General Assembly		47. 54					
206	A bill to amend the law providing for the erection and repair of bridges, &c	53	55, 209, 232	539				
207	A bill regulating Foreign Insurance Companies	53	265, 415, 592, 599	615	681	684	728	Coffroth.
208	A bill to amend the 1st and 10th sections of the Common School law	53	143, 144, 479, 509					Gregory of W.
151	A bill to encourage the republication of Blackford's Reports		54					
154	A bill to amend an act providing for the election of Clerks of the Circuit Courts		54					
163	A bill creating the 14th Judicial Circuit		55, 59					
171	A bill making appropriation to pay indebtedness of State Prison North		55					

BILLS OF THE HOUSE—Continued.

Number.	TITLES.	Introduced.	Proceedings thereon.	Passed House.	Passed Senate.	Other Proceedings.	Approved.	Introduced by.
173	A bill to amend the law for destruction of wolves		55, 512					
174	A bill for the protection of fish		55, 257, 359, 410, 741					
177	A bill amendatory of an act providing for the publication of delinquent taxes		56	280		426, 437, 444	447	
179	A bill to amend the act incorporating the Trustees of the Indiana Female College		56					
181	A bill to amend act provlding for elections of Clerks of Circuit Courts		57, 218, 432					
184	A bill to amend act regulating fees of officers, &c		57, 505	506				
185	A bill to provide for election of Directors of Corporations, &c		58, 507					
189	A bill to amend an act authorizing general banking		58, 506, 507, 512		656			
190	A bill to amend an act regulating fees of officers, &c		58, 206, 329, 432, 495					
193	A bill for benefit of soldiers and marines, &c		59					
194	A bill to amend an act in regard to incorporated cities		59, 301					
196	A bill to extend time for the completion of gravel roads		59, 147, 148	506	625	667, 678	704	
198	A bill fixing the salaries of the Judges of the different courts of the State		63			676		
201	A bill for the adjustment of the outstanding debts of the State		63					
37	A bill to amend an act regulating general elections		63, 484					
77	A bill to provide for the settlement of estates of persons absent from the State for seven years		63, 285, 415					
168	A bill to amend Revised Statutes of 1852, relating to Coroners		64, 512					
33	A bill to amend the 8th section of the liquor law of March 9, 1859		64, 78, 279	280	566	602, 603	607	
182	A bill regulating sales of real estate made by county treasurers		65					
209	A bill to provide for the construction of sewers within incorporated towns	72						Collins.
210	A bill to provide for holding the Common Pleas Court in Grant county	72	121	205	625	667	755	James.
211	A bill to enable common carriers to dispose of uncalled for freight, &c	72	232, 270	554			732	Cowgill.
212	A bill to legalize the appraisement of real estate under the provisions of an act approved Dec. 21, 1858	72	230, 445	231		468	468	McVey.
213	A bill modifying an act for the relief of the families of soldiers, seamen, &c	72	202					Ferris.

214	A bill to repeal an act to enforce the 13th Article of the Constitution, approved June 18, 1852	73	208, 232, 556						Miller.
215	A bill to amend an act regulating general elections	73							Sabin.
144	A bill to authorize and regulate the sale of railroads		78						
41	A bill to legalize sales by guardians		78	466	624	667	704		
21	A bill to amend an act defining misdemeanors			79	566	601, 635	603		
18	A bill to provide for the publication of notice to or service of summons on non-residents		80, 253, 432						
22	A bill to legalize the sale of school lands in lake county		80	81	566	601, 635	603		
23	A bill to provide for draining, &c., swamp lands		81, 153, 317	562					
25	A bill repealing act prohibiting Indians from voting		82, 283, 306, 356						
114	A bill relative to fees of public officers		83						
139	A bill regulating sale of spirituous liquors		83						
167	A bill limiting pay to substitutes		83						
195	A bill to amend the treasury system		84						
197	A bill purchasing Gavin & Hord's statutes		84						
82	A bill creating high schools		84	241	622	638, 645	704		
86	A bill to drain certain swamp lands		85	421	624	667	701		
88	A bill authorizing high schools, &c., to change name			85	625	674	725		
106	A bill creating tobacco warehouses			86		402	447		
147	A bill regarding estrays, &c			87					
126	A bill in reference to constructing levees			88		647, 651	704		
149	A bill enabling turnpike companies to change time of holding their elections		88, 203			437, 444	447		
121	A bill regulating fees of officers		89	90	625	638, 645	701		
186	A bill in reference to the semi-annual interest of State debt		90, 96	97	6 5				
156	A bill relating to collection of soldiers' bounties		90, 275, 276, 180						
216	A bill regulating the marriage relation	94							
217	A bill to compel railroads to transport freight in certain cases	95	428, 476						McVey.
218	A bill regulating the sale of spirituous liquors	96	161. 199, 244, 274, 289, 2 7						Cox.
107	A bill incorporating insurance companies		104						Shuey.
59	A bill authorizing railroad compades to use property of canal companies						114		
219	A bill prescribing who may make a will, &c	117							Meredith.
220	A bill limiting the number of grand jurors, &c	117	149, 507						Buskirk.
2 1	A bill in regard to landlords and tenants	117							Gregory of W.
222	A bill extending time for redemption of real estate sold by Sinking Fund Commissioners	117	209						Newcomb.
223	A bill to prevent the killing of birds	118	232, 539						Cox.
224	A bill regulating fees of Prosecuting Attorneys, &c	118	208						Burnes.
225	A bill in reference to illegitimate children	118							Rice.
199	A bill distributing the funds of School and Trust Funds		118						
226	A bill to sell property without appraisement	130	331						Henricks.
227	A bill amending the practice act	130	254						Caldwell.
228	A bill amending the practice act	130	254						Lasselle.
229	A bill in reference to furnishing dockets to Justices of the Peace	131	151						Crook.
230	A bill allowing County Commissioners to organize turnpike companies	131	288						
231	A bill protecting lawful public notices	131	161, 289	512	3625	2667	701		Olleman.
232	A bill limiting passenger fare on railroads, &c	131	161						Lasselle.
									Henricks.

BILLS OF THE HOUSE—Continued.

Number.	TITLES.	Introduced.	Proceedings thereon.	Passed House.	Passed Senate.	Other Proceedings.	Approved.	Introduced by.
233	A bill in reference to loss by fire	138	228					
234	A bill repealing an act to ascertain the amount of fees of officers of State, &c	138	216, 295	556				Gregory of W.
235	A bill appointing a committee to examine School Fund, &c	138	229, 230					Rhoads.
236	A bill in reference to the incorporation of insurance companies	139	284, 216					Kilgore.
237	A bill to amend section 5 of common school act	191	255, 307, 469	470	693		726	
238	A bill in reference to foreign guardians	192	217, 295	555				Coffroth.
239	A bill to erect dam across St. Joseph river	192	257, 307, 355	355		573, 597, 601, 743	604	Shuey.
240	A bill to relieve County Auditors, &c	192	260, 307, 560	560				Milroy.
241	A bill to amend plank road, &c., act	192	258, 307, 559					Hamrick.
242	A bill amending law organizing turnpike companies	193						Stewart.
243	A bill appointing commissioners to World's Fair	193	313					Miller.
244	A bill licensing locomotive engineers	193	202, 216, 306, 353, 371, 442					Buskirk.
245	A bill in reference to common schools	193	219, 295, 296, 414, 476, 502, 510					Rhoads.
246	A bill regulating fees of officers	194	301, 332					Osborne.
247	A bill concerning the collection of delinquent taxes	195	285, 415, 502					Groves.
248	A bill amending an act incorporating manufacturing, &c., companies	195	266, 415, 616					Gregory of W.
249	A bill amending temperance law	196	217, 297					Gregg.
250	A bill repealing the dog law	196	746					Sullivan of Scott.
251	A bill providing for enumerating the inhabitants of the State	196	206, 332, 428					Lasselle.
252	A bill in reference to common schools	197	255, 307, 561					Ferris.
253	A bill changing time of holding courts in certain cases	198	267, 307	557	656		726	Buskirk.
91	A bill relating to foreign executors		202					
125	A bill amending act relating to relocation of county seats		201, 203, 267	358		500, 538, 572, 580, 597		
254	A bill amending the incorporation act of Huntington	210	242, 306, 469	470	656		732	Coffroth.
255	A bill in reference to insurance companies	211	253, 307, 534, 611	615	656	693	726	Newcomb.
256	A bill incorporating hydraulic companies	220	428, 429, 599	602	656	680, 681	767	Trusler.
257	A bill requiring railroad companies to furnish transportation, &c	220	333, 521					Sim.
258	A bill amending act providing for uniform mode of doing township business	221	519					Cox.
259	A bill fixing time of holding courts in Kosciusko county	221	417, 428					Upson.
260	A bill relating to animals killed by railroad companies	221	520					Gregory of W.
261	A bill amending practice act	222	286, 415					Church.

262	A bill amending State Prison act	222	429					Crook.
263	A bill preventing railroad companies obstructing highways	223	259, 308	561	657	693	727	Hoover.
264	A bill amending the divorce act	223	429					Shoaff of Allen
265	A bill amending township business act	223						Caldwell.
266	A bill relating to fees of clerks of courts	223	287					Wright.
267	A bill in reference to county auditors	223						Lasselle.
268	A bill amending the assessment act	224	287, 415					Stivers.
269	A bill in relation to Gettysburg Cemetery	224	282, 416					Henricks.
270	A bill fixing per diem of members of General Assembly, &c	224	290, 292, 296, 307	335	552	595, 638, 674, 725	727	Gregory of M
271	A bill relating to dirt roads	224	258, 307, 428, 561, 595					Bonner.
272	A bill fixing time of holding courts in 13th Judicial Circuit	224	289, 415					Shoaff of Jay
273	A bill in reference to enforcing 13th Article of Constitution	225	430					Lemon.
274	A bill in reference to sheep-killing dogs	225						Brown.
275	A bill in reference to holding Common Pleas Courts in certain counties	225	289, 416					Shoaff of Jay.
276	A bill authorizing county auditors to issue fee bills in certain cases	225	256, 307	559	657	674	727	Lasselle.
				466				
87	A bill amending the practice Act		229					
12	A bill protecting religious meetings, &c.		267		234	271	278	
27	A bill legalizing the acknowledgments of deeds, &c		267		234	271	278	
33	A bill repealing the Courts of Conciliation		267		231	271	278	
161	A bill to provide for working and locating highways, &c		258	558	681		726	
277	A bill amending act organizing courts of justice	268	301, 305, 370, 389	403	651		727	Newcomb.
278	A bill creating 16th Judicial Circuit, &c	268	304, 305, 370, 389	404	651		727	Newcomb.
279	A bill amending certain sections of the act defining the jurisdiction of justices of the Peace	268	304, 305, 370, 389	405	656		727	Newcomb.
280	A bill fixing the number of grand jurors, &c	268	303, 305, 370, 389	406	651		727	Newcomb.
281	A bill in reference to levees and drains	268	333					Woods.
282	A bill relating to mileage of sheriffs in certain cases	269	431, 642					Griffith.
283	A bill fixing time of holding courts in 11th Circuit	269	494					Lasselle.
284	A bill providing for election of directors for railroads	269						Patterson.
285	A bill providing for a State Debt Sinking Fund	270	298, 370, 371, 389	420	564	627, 638, 647, 658, 679	728	Branham.
286	A bill authorizing County Commissioners to swing gates on certain highways	270	288, 415, 616					Stringer.
170	A bill to amend section 22 of an act incorporating towns, &c		288					
287	A bill in reference to settlement of decedents' estates, &c	291						Major.
288	A bill extending terms of Circuit Courts, &c	291	515					Kilgore.
289	A bill regulating fees of officers, &c	291		530			726	Howard.
290	A bill in reference to Justices of the Peace	291	415					Sim.
291	A bill fixing time of holding courts in 6th Judicial Circuit	291						Veach.
292	A bill limiting the liability of inn-keepers	292	485					Kilgore.
293	A bill relating to landlords and tenants	293	416					Brown.
294	A bill securing certain forfeitures to common school fund	293	359, 416	501				Pettit.
295	A bill amending act exempting sale of property in certain cases	293						Lasselle
296	A bill defining vagrancy, &c	293						Rice.
297	A bill relating to forfeited recognizances, &c	294	416					Miller
136	A bill amending act relating to township and county business		300, 416					
103	A bill amending valuation and appraisement act		301			681		
99	A bill amending assessment act		301, 416					
298	A bill to prevent swine running at large, &c	302	751					Cox.

BILLS OF THE HOUSE—Continued.

Number.	TITLES.	Introduced.	Proceedings thereon.	Passed House.	Passed Senate.	Other Proceedings.	Adopted.	Introduced by.
299	A bill legalizing official acts of certain officers, &c	302	415	478	493		727	Cowgill.
300	A bill amending the practice act, &c	304	407					Miller.
302	A bill in reference to the construction of plank roads, &c	308						Hamrick.
303	A bill prohibiting certain officers from practicing law	3 6	514					Buskirk.
304	A bill authorizing County Commissioners to make appropriations in certain cases	316						Johnson.
305	A bill creating —— Judicial Circuit, &c	334						Coffroth.
306	A bill regulating license to retail spirituous liquors, &c	334						Henricks.
307	A bill amending the school law	334						Griffith.
308	A bill creating —— Judicial Circuit	334						Buskirk.
309	A bill authorizing County Commissioners to make appropriations in certain cases	336	431, 442, 576					Lasselle.
310	A bill defining the crime of embezzlement, &c	336						Kilgore.
311	A bill explanatory of the 2d section of an act legalizing the issues of bonds in certain cases, &c	336	622					Miller.
312	A bill amending voluntary association act	337						Kilgore.
313	A bill abolishing office of President of Sinking Fund, &c	367	468, 494, 496, 498					Branham.
314	A bill to raise revenue for State, &c	368				678		Miller.
315	A bill amending act for assessment of real and personal property	368						Stringer.
316	A bill amending State Prison act	368						Howard.
317	A bill amending act regulating general elections, &c	369						Cowgill.
318	A bill amending act to incorporate St. Joseph Iron Company	369						Henricks.
78	A bill to provide for sale of land in Jasper and Newton counties.					402, 447	447	
47	A bill increasing powers of Sinking Fund Commissioners, &c					422, 427, 444, 447, 528		
6	A bill to establish Agricultural College, &c		424, 445, 448, 463, 464, 472, 488,					
157	A bill amending act regulating descents and apportionment of estates, &c		585, 592, 623, 637, 750 428					
168	A bill to provide for appraisemrnt for taxation of railroad companies			529		[572, 597, 743 446, 525, 549, 552, 554		
319	A bill to amend act for doing township business	422						Gregory of W.
320	A bill regulating swing bridgrs, &c	446	495, 672	674	706		732	Shoaff of Allen.
159	A bill to provide for valuation and appraisement of property, &c		452					
321	A bill establishing Soldiers' Home, &c	456	519					Newcomb.
322	A bill prescribing duties of persons keeping gaming tables, &c	457						Gregory of W.
323	A bill amending section 3 of turnpike act	459	518					Bonner.

324	A bill authorizing change of venue from Common Pleas Courts, &c.	463						Kilgore.
325	A bill amending sections 16 and 17 of act authorizing drains, &c.	463						Gleason.
326	A bill apportioning Senators and Representatives of State	464						Church.
116	A bill relating to weights and measures		514					
327	A bill providing for more secure offices of State	524						Newcomb.
328	A bill making specific appraprations for 1866	545	603	614	691	695, 708	743	Higgins.
329	A bill making general appropriations for 1866, &c	546	605	667	708	711		Branham.
20	A bill relating to inclosure and trespassing animals, &c				566	597, 601	604	
62	A bill empowering cities to plant shade trees, &c				566	596, 626	642	
64	A bill amending act to revise, simplify practice and pleadings, &c., in courts of justice				566	597, 626	642	
					567	597, 601	6 1	
75	A bill enabling railroads to construct branches to coal mines, &c				567	597, 603, 613, 618, 67	704	
79	A bill providing for election and appointment of supervisors				567	591, 601	604	
52	A bill to render uniform the assessment of personal property							
55	A bill to provide for more uniform mode of doing township business, &c				567	602, 603	608	
58	A bill regulating interest on money, &c				567	597, 601	604	
67	A bill entitling attorneys to hold leins on judgments				567	608, 626	642	
119	A bill establishing a State Normal School, &c					597, 626, 655	642	
84	A bill to legalize action of Board of Commissioners of Vermillion county, &c				624	667	704	
68	A bill referring to erecting monuments to deceased soldiers				667	680, 681	725	
95	A bill to enable railroads to make local alteration in their lines				684		726	
187	A bill requiring Com. of State Debt Fund to settle with Sinking Fund Com., &c				706	715	742	
59	A bill authorizing railroad companies to use property of canal companies					708		
73	A bill amending act for election of supervisors					708		

BILLS OF THE SENATE.

Number.	TITLES.	Reported to House.	Proceedings thereon.	Passed House.	Other Proceedings.
102	Repealing laws for incorporation of cities		65, 66, 261, 542	576	601, 612, 681
202	Making specific appropriation from treasury		119		
47	Providing for compensation for property destroyed		155		
93	Defining certain felonies, &c		155, 653	655	711
104	Regulating the sale of swamp lands		156, 286		
108	Regulating divorces, &c		156, 600		
114	Amending an act incorporating railroads		156, 288, 538	671	
118	In reference to valuation of real and personal property		156		
141	In reference to organization of voluntary associations		156, 188, 233		
120	Authorizing prosecuting attorneys to administer oaths		157, 313		
122	Relating to weights and measures, &c		157, 259		
127	Defining county boundaries		157		
145	Providing compensation for judges, &c		157, 185, 133		
163	Touching the laying out of cities, &c		157, 266		
210	Amending the practice act		157, 185, 233		
31	In reference to life insurance companies		158, 254		
34	Authorizing to purchase and hold parks, &c		158, 266, 623		
50	Providing for redemption of real estate, &c		158, 514		
199	In reference to the Indianapolis Insurance Company	158	159, 600, 602	672	
52	Defining the offense of bastardy, &c		159		
16	Amending the practice act		159	160	
198	Repealing act for relief of families of soldiers, &c	175	581, 555	537	611, 645
205	Fixing time of holding court in 7th Judicial District, &c	233	687	688	
231	Legalizing certain acts of Common Pleas Court of Clinton county, &c	233	331, 335, 617		
61	Relating to landlords and tenants		234		
84	Fixing jurisdiction of Justices of the Peace in State prosecutions		235	236	272
4	Providing for taking and authenticating transcripts in certain cases		236	236	271
25	Defining certain misdemeanors, and punishment therefor			237	271
70	For the relief of plaintiffs in execution in certain cases		237	239	
115	Amending section 11 of an act concerning county prisons		238	239	272
82	Authorizing cities to negotiate bonds to complete school houses, &c			239	272
99	Requiring clerks to make indexes, &c		240		
44	Relating to joint contracts		283		
36	Legalizing the appraisement and assessment of property in cities		284, 599		

60	Amending bill to construct Aurora turnpike		285		
226	Regulating fees of officers	295	312, 366		
22	Referring to election and qualification of Justices of the Peace		308		
175	Authorizing the formation of companies for the detection of horse thieves		309, 328, 614	705	
21	Amending act incorporating the town of Vernon		309, 367, 544, 578	604	622, 645
201	For treatment of incurable insane		309, 312	649	
227	For relief of Isaac B. Armstrong		309, 312, 333, 614	686	
223	Relating to adopted children holding real estate	309	312, 345, 617	670	
265	Fixing time of holding Wells Circuit Court	309	313, 348, 618		
66	Fixing time of holding Common Pleas Courts	309	312, 471, 689		
27	In reference to power of Justices of the Peace		310		
106	Amending the practice act		310, 346		
142	Defining the crime of drunkenness, &c		310, 316, 614		
185	Incorporating hotel companies		310, 329, 614		
205	Fixing time of holding courts in 7th Judicial District		311, 711		
206	In reference to sale of railroads, &c		311, 369, 618	676	
211	In relation to White River Navigation Company		311, 369		
217	Amending turnpike road law		311		
221	Punishing officers of elections for receiving illegal votes		311		
208	To provide for constructing sewers, &c	372			
8	Amending the law incorporating cities		367		
161	Requiring County Commissioners to examine fees of county officers, &c	371			
187	Changing law incorporating City of Madison, &c	371		675	
213	Amending incorporation act of cities, &c	372			
214	Defining what officers to be elected by General Assembly	372			
215	Amending practice act	372		689	
223	Allowing married women, under 21, to join in conveying real estate, &c	372		667	
228	Amending law for doing township business, &c	372			
229	Authorizing the purchase of railroads, &c	372			
225	Providing for taking depositions in certain cases	372			
230	In relation to organizing the General Assembly	372			
234	For the incorporation of towns	373			
239	Authorizing sessions of Common Pleas Courts, &c	373			
241	Amending the practice act in relation to witnesses	373		646	
244	Providing for election of Justices of the Peace	373			
246	Changing Mechanic and Fire Insurance Company's act	373			
252	Amending Manufacturing and Mining Co. act	373			
254	Amending act to provide for State Treasury system	373			
255	Changing act for incorporating high schools, &c	374			
256	In reference to charter of Evansville	374	711	712	
258	Providing for settlement of decedents' estates	374			
249	Defining powers of hydraulic companies	374		683	
261	Amending voluntary association act	374			
262	In reference to Gettysburg Cemetery	374			
268	In reference to divorce cases in Circuit Courts	374			
269	Requiring County Auditors to make examination in certain cases	374			
272	Amending the school law	374			
280	Concerning school houses	375			
216	Concerning the making of wills	375			

BILLS OF THE SENATE—Continued.

Number.	TITLES.	Reported to House.	Proceedings thereon	Passed House.	Other Proceedings.
212	Incorporating insurance companies, &c	375			
156	Limiting the number of grand jurors, &c	375		647	
289	Regarding official bonds, &c	377		644	
300	Organizing Circuit Courts	379		649	
15	Appointing Commissioners to adjust claims resulting from the Morgan raid				397, 568, 571, 707, 708
174	Protecting wild game, &c	451			
218	Reference to sheep killing dogs, &c	451			
281	Fixing salary of State Librarian	452		669	680
164	Touching lots, streets &c., of cities	476			
247	Authorizing road companies to enter lands &c., for certain purposes	476			
270	Regulating fees of officers, &c	489	691		
271	Amending act in relation to administering oaths	489			
273	Legalizing acts of Board of Equalization, &c	489			
275	Extending terms of Circuit Court &c	489			
306	Referring to vacating streets of cities, &c	489			
2	Regulating practice in Common Pleas Courts, &c	515			
219	Defining who shall be competent witnesses, &c	531		690	
293	Providing for enumeration of inhabitants of State, &c	531	643	643	
283	Authorizing cities to appoint Attorneys, &c	552			
395	Amending Common School act	552			
282	Providing for employment of watchmen of cities	552			
278	Refering to taxation of personal property, &c	553			
159	Authorizing the erection of houses of refuge	553			
296	Empowering cities to construct gas works, &c	553			
303	Making valid certain judgments in Whitley county	553		684	
305	Relating to laying out highways	553			
308	For relief of heirs of persons entering swamp lands, &c	553		685	
213	Amending act organizing Evansville insurance company	553	572, 681	620	
314	Authorizing Sinking Commissioners to invest money in State Bonds	554			
310	Enabling owners of wet land to drain, &c	554			
312	In reference to license to vend foreign merchandize, &c	567			
294	Prescribing duties of Justices of the Peace in certain cases, &c	568			
311	Legalizing sales of duputy Sheriffs in certain cases, &c	568			
315	Defining certain misdemeanors, &c				

110	Amending act dividing State into counties, &c	584	599, 676, 681		
163	Touching the laying out of cities and additions thereto, &c		600		
309	Amending incorporation act of city of Madison	622			
285	To prevent certain officers from practicing law	626			
288	Requiring clerks of courts to make indexes in certain cases	657			
40	Esiablishing Agricultural College, &c	675			
284	To prevent unauthorized printing at expense of State			677	

Number.	TITLES.	Introduced.	By whom Introduced.	Proceedings ther'on	Passed House.	Passed Senate.	Other Proceedings.	Approved.
15	Asking that our soldiers in rebel prisons be speedily exchanged			78, 750				
1	Proposing an amendment to Constitution by striking out 13th Article			80, 148, 178, 240	276			
2	Accepting donation of lands to the States and Territories			80				
17	Amending Article 4, section 9, of the Constitution	94		121, 281				
3	Proposing an amendment to Article 8 of the Constitution			104, 432	278			
4	Proposing an amendment to the 23d section of the Constitution			104, 227				
18	In relation to taxing bonds of U. S	125	Gregg.					
19	" " "	126	Gregg.					
10	In relation to placing certain persons on the pension rolls			187				
20	Instructing Congressmen to equalize bounties, &c	228	Gregory of W.	294	549	625	670, 685	727
21	Instructing Congressmen to increase pay of privates and officers, &c	274		415				
22	Proposing amendment of Constitution so as to allow females to vote	316	Lasselle.	455				
23	Amending 11th section of Article 4 of the Constitution	336	Shuey.	453				
11	For the relief of George W. Archer					567	601, 608, 635	

JOINT RESOLUTIONS OF THE SENATE.

Number.	TITLES.	Reported to House.	Proceedings thereon.	Passed House.	Other Proceedings.
15	Requesting Congressmen to adopt a more efficient mode of adjusting soldiers' claims	375			
24	In reference to bounties of soldiers in 12th and 16th regiments	427			

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